# THE LAWS OF JAMAICA,

Passed by the

## Assembly,

And Confirmed by

## His MAJESTY

IN

# COUNCIL,

*April* 17. 1684.

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To which is added,

The State of *JAMAICA*,

As it is now under the Government of

Sir *THOMAS LYNCH*.

*With a large Mapp of the Island.*

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*LONDON*, Fo.

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# THE STATE OF JAMAICA, Under Sir THOMAS LYNCH, HIS MAJESTIES Preſent Captain GENERAL and Chief GOVERNOUR, *September* 20. 1683.

Containing

*A ſhort Deſcription of the Iſland.*
*The Manner of Government.*
*The Method of holding Courts.*
*An Account of all the Officers; And of the Laws.*

THE Iſland of *Jamaica* lies in about 18 Deg. North Latitude, is diſtant from *Hiſpaniola*, Weſt, about 35 Leagues; From the great Iſland of *Cuba*, South, 26 Leagues; From the Main Land of *America* and *Carthagena*, North, about 150 Leagues.

This Iſland is of an Oval Form, and lies due Eaſt and Weſt, and has a continued

nued ridge of lofty Mountains that run from the Eaſt to the Weſt end of the Iſland; ſo that the Traverſe from South to North is difficult.

*Deſcription of the Iſland.* This Iſland is about 150 Miles long, *de Plano*, by the Chart, but by the Common Ways and Computation, judged twice as long, the Bredth is unequal, the two ends narrow, where broadeſt, it's about 52 Miles. It contains about ſeven Millions and 500000 Acres, ſo is above ſeventy times bigger than *Barbadoes*. Of this Land (as I conjecture) there is 1087000 Acres taken up; by a moderate Calcule there may be 350000 Acres of *Savanna*, or Paſturage, wherein feed great numbers of Horſes, neat Cattel, and Sheep. About a Million of Acres of barren, rocky and unplantable Land, and ſix Millions and a half that's manurable and uſeful. This Land differs in Climate, Soil, *&c.* becauſe of the interpoſition of Capes, Bays, Rivers, Mountains, *&c.* So that the good Land lies in Veins, and the Settlements are ſeparated. It has abundance of excellent Ports and Roads, and is ſubject to no Storms or Hurricans, as the Windward Iſlands are. It's watered with innumerable Springs, has above Eighty Rivers that run into the Sea, and above five or ſix times as many inland Rivers that run into them. The

The King is Soveraign Lord of this Iſland, and in Writs, Commiſſions, Grants, *&c.* is ſtiled King of *England*, &c. Lord of *Jamaica.* *Lord of Jamaica.*

After his Majeſties happy Reſtauration, in the Year 1661. this Iſland began to be planted, and was then put under a civil Government, ſince that time it has been divided into Fifteen Pariſhes, and they into Eight Provinces or Precincts, for its more Regular Government in Civil, Eccleſiaſtical and Military Affairs. *Diviſion of the Iſland.*

The Government is conſtituted by a Charter or Commiſſion under the great Seal of *England*, which on change of Governours is always publiſht, and afterward Recorded, becauſe it may be ſeen by all, for it contains the Powers Granted to the Governours, and the Royal Conceſſions to the People, as calling Aſſemblies, aſſimilating their Laws to thoſe of *England*, being Governed by known Laws, without which no mans Liberty or Freehold is to be taken away. *The Government.*

The Governour here Commands during his Majeſties pleaſure, and has no Sallary but what only is paid by his Majeſty in the Iſland, without Donatives or Preſents from Aſſemblies or particular Perſons. Under the Title of Captain General, and Chief Governour, his Ma- *Governor.*

jeſty has been pleaſed to veſt his Governours with all his Powers, Civil, Eccleſiaſtical, or Military, which they are to diſcharge according to the Laws, and thoſe Powers and Inſtructions they have from his Majeſty, and by the advice of of his Majeſties Council in the Iſland: On the Governours Diſability or Abſence the Lieutenant Governour ſucceeds. If there be none, then the Council Governs, and the firſt Councellor preſides till his Majeſties pleaſure be declared therein.

*The Council.* The Council conſiſts Generally of about Twelve, appointed by his Majeſty. They inſpect the Revenue, and give orders for the iſſuing of it out, adviſe in Matters Relating to the Government. They think themſelves limited by the Law, like the Kings Council in *England*, ſo meddle not with Property, unleſs it comes by Writ of Error out of the Grand Court, or Appeal out of the Admiralty, judicially before them, which has ſeldom happened. As the Governour repreſents the King, ſo do they the Houſe of Lords, for by the Commiſſion and Inſtructions, they are joined with the Governour and Aſſembly, to Paſs Laws. Their Names are ranked in his Majeſties Inſtructions as followeth, *viz.*

Sir

Sir *Henry Morgan*, Kt.
Sir *Franc. Watſon*, Kt.
Col. *Thomas Freeman.*
Col. *John Cope.*
Col. *Robert Byndloſs.*
Col. *Thomas Ballard.*
Col. *Thomas Fuller.*
Col. *Hender Moleſworth*, Lieutenant Governour.
*John White* Eſq;
Sir *Charles Modyford* Bar^t.

The King has been ſo gracious to the Inhabitants of this Iſland, that all the Governours have had Commands and Directions to aſſimilate the Laws and Government as near as poſſible to that of *England*, and has therefore by his Inſtructions and Charter of Government, conſtituted Aſſemblies for the making of Laws, like the Parliament in *England*. Their number is Thirty two, choſen in the Fifteen Pariſhes. Their Names as follows: *The Aſſembly.*

St. *CATHARINES.*

*Samuel Bernard*, Eſq; Speaker,
Col. *John Bourden*,
*Thomas Ballard*, Eſq;

St. *THOMAS.*

Lieut. Col. *Edward Stanton*,
*Ralph Whitfeild.*

St. *DA-*

St. *DAVIDS*,

Major *Thomas Ryves*,
Capt. *James Lobley*.

*PORT ROYAL*,

Lieut. Col. *Samuel Bach*,
Capt. *Reginold Wilſon*,
Mr. *Coward*, Merchant.

St. *ANDREWS*,

Col. *Samuel Barry*,
Capt. *Francis Scarlet*.

St. *THOMAS in the Vale*,

Major *George Nedham*,
Dr. *Fulke Roſe*.

St. *DOROTHIES*,

Dr. *Bonner*,
*Peter Beckford*, Eſq;

*CLARENDON*,

*Thomas Sutton*, Eſq;
*Richard Dawkins*, Eſq;,

*VERE*,

*William Puzey*, Merchant,
*John Peek*, Eſq;

St. *ELI-*

St. *ELIZABETHS*,
Lieut. Col. *Richard Scot*,
*Thomas Raby.*

St. *JAMES*,
*Samuel Jenks*, Eſq;
Capt. *Thomas Clarke.*

St. *ANNS*,
Lieut. Col. *Whitgift Aylemer*,
Major *Benjamin Smith:*

St. *MARIES*,
*Andrew Orgile*, Eſq;
*John Moon*, Eſq;

St. *JOHNS*,
Major *Thomas Ayſcough*,
*Francis Price*, Eſq;

St. *GEORGES*,
Capt. *Henry Archbold*,
*Edward Broughton*, Eſq;

Theſe are choſen indifferently by the Free-holders of the ſeveral Pariſhes and Precincts by vertue of Writs iſſued out of the Chancery, under the Great Seal of the Iſland, directed to the Provoſt-Marſhal, as High Sheriff. That (after the

manner of *England*) ſignifies the time and place of Election, there indents, afterwards makes Returns, *&c.* All the Methods and Proceedings of this Aſſembly are conformable to thoſe of *Engliſh* Parliaments, as much as ſo little a Body may ſo great an one. In all, the Governour has a Negative, Prorogues, Diſſolves, *&c.* The Laws they make are generally Municipal, proper only for the uſage of the Iſland, and are of force for what term his Majeſty pleaſes, as may appear by his manner of paſſing them in the following Book.

*Church Government.*

The King is here (as in *England*) Head of the Church, his Governours, as his Subſtitutesor Chancellours, Collates to all Benefices that are worth from 100*l. per Annum*, to about 400*l.* St. *Andrews* it's ſuppoſed will be worth more, when the Glebe Land is out of Leaſe. There is as yet not above Nine Churches. All the Miniſters are ſober, orthodox, and good Men. None but ſuch as conform to the Church of *England*, and are recommended by my Lord Biſhop of *London*, can be admitted. They have Inſtitution and Induction by an Inſtrument under the Great Seal of this Iſland; they have Clerks, keep Records of Marriages, Funerals, Chriſtnings, *&c.* They have alſo Church-wardens,

dens, Veſtrys, of which the Miniſter is to be. There are alſo Surveyors of Highways, *&c.* exactly after the manner of *England*, and as the Laws of the Iſland direct.

Eccleſiaſtical mulctuary Laws are not of force here, for his Majeſty conſidering this as a fertile and large Iſland, fit for a Royal Colony, and not being willing his Subjects ſhould all go to Proprietorſhips or to foreign Countries, hath, to draw them hither, permitted liberty of Conſcience, that has been confirmed to Diſſenters by divers *Laws*, and the Kings Inſtructions, ever ſince his happy Reſtauration, of which Grace they have always, and do now, make a modeſt uſe, being reſpectful to the Government, and ready to comply with all Civil or Military Duties. *Liberty of Conſcience.*

For this or the like Conſiderations his Majeſty has been graciouſly pleaſed to give liberty to all Strangers, who may (upon taking the *Oath of Allegiance*) demand a Pattent for Naturalization, that enfranchiſes them as a native Inhabitant for it. They pay a ſmall Fee, as appears by the Act in the following Book, made for that purpoſe. *Naturalization.*

The King has been pleaſed to honour this Iſland with a large guilt Mace, as a ſignal Mark of his Favour, and to make *The Mace.*

the

the Government appear more great and formal: It's carried before the Governour and Chancellour on Solemn Occaſions.

*The Iſlands Seal.* The King has likewiſe honoured this Iſland with Arms, and with a publick Broad Seal; on one ſide of it his Majeſty is ſeated on his Throne, with two *Indians* on their knees, preſenting him *Fruits*, and two Cherubins aloft, ſupporting a Canopy; underneath his Feet this *Motto*;

*Duro de Cortice fructus quam Dulces?*

*The Iſlands Arms.* The Inſcription about it is, *Carolus Secundus Dei gratia*, &c. *Dominus Jamaicæ*; On the other ſide is an Eſcutcheon, bearing a Croſs charged withe five Pines; two *Indians* for the *Supporters*, and for the *Creſt* an *Alligator*. The Inſcription in the Orle, Incloſing all, is,

*Ecce alium Ramos porrexit in orbem*
*Nec ſterilis crux eſt.*

The *Motto* underneath the Eſcutcheon is,

*Indus Uterq; ſerviet uni.*

All

All this, as I have heard, was deſigned by the preſent Lord Arch-biſhop of *Canterbury*, in the Year 1661. and the Seal then delivered to Sir *Charles Littleton*, that came hither Chancellour, for the Chancellours always keep it, and with it Seal all Publick Grants, Commiſſions, Pattents, *&c.*

The King by a Clauſe in the Commiſſion for the Government, appoints the Governour to be Chancellour, as judging it fitteſt to entruſt him with the Equity, who is to ſee the *Laws* executed, and not thinking it for the good of his Subjects to have many great Officers in a young Colony; And that if the Seal were in private hands it would be erected into an Office: Now it's worth little or nothing. For the Chancellour has no Fee, only for granting Land, and that amounts to very little now. Nor has he more than one Clerk, that's called a Regiſter, or Clerk of the Pattents, whoſe Office is worth 55 *l. per Annum.* The Chancellour has three Maſters, that on occaſion ſit with him, and take Oaths to Commiſſions, Anſwers, *&c.* The ſecond *Monday* every Month this Court ſits, and then is Sealing day, which is now punctually obſerved, That no body may be ſurprized, nor Pattents Sealed at any other

*The Chancellour.*

*Chancery.*

time: The *Chancery* Cauſes are few, and ſuddenly diſpatch'd.

*How Land is granted.* All the Grants for the King's Lands are paſs'd after this manner: His Majeſty by his *Proclamation* in 1661. having promiſed his Subjects and all others that would tranſport themſelves to *Jamaica*, That they and their Children ſhould have the Benefits and Immunities of his native Subjects of *England*; And likewiſe Thirty Acres of Land *per* Head. They therefore on arrival take an Order from the Governour for ſo much: This Order is directed to a legal, ſworn Surveyor, and by him returned to the Clerk of the Pattents, who by Directions of the Kings Attorney, draws the Pattent, and affixes the Plat to it; This at Sealing day is Sealed, and afterwards enrolled in the Office of Enrolments; for all which the Surveyor and Clerk have as in the Act for Fees. In all theſe Grants, Royal Mines are excepted. The Tenant holds as in *Common Soccage*, pays a Half-penny *per* Acre, is to ſerve in Arms, *&c.*

*The Revenue.* The Revenue his Majeſty has in this Iſland, is his Quit-Rents, Fines, Eſcheats, Forfeitures, Licenſes for Taverns, Impoſt on ſtrong Liquors, *&c.* as may be ſeen by the Act for the Revenue in the following Book.

This

This is all received by a Collector or Receiver-General, and he is ſupervi ſed by a Deputy, Auditor, or Surveyor, who bring the Accounts to the Governour and Council, and they iſſue the Warrants for paying the Fortifications, Salaries, Publick Expences, *&c.* according to the King's Orders and the Directions of the Law: Every half year an Account thus Paſs'd, is to be remitted to the Auditor-General in *England*, to be laid before the Lords of the Treaſury, and Lords of the Council; By which Method it ſeems impoſſible any part of this Revenue ſhould be imbezelled or miſapplied. *Receiver-General.* *Auditor-General.*

That the Acts of Navigation and Trade may be exactly complied with, his Majeſty has here a Naval Officer, who remits twice a year all Bonds, Entries, *&c.* to the Lords of the Treaſury and Commiſſioners of the Cuſtoms; And keeps likewiſe Accounts of all Ships, Goods, Perſons, Negroes, *&c.* that come to the Iſland. The Naval Officer is likewiſe a kind of Maſter of Attendance, to aſſiſt and provide for the Kings Ships. *Naval-Officer.*

The King doth not only appoint his Governour to be his Chancellour, but likewiſe the Biſhop's Ordinary, and Judge of the Prerogative Court, ſuppoſing, That he who is intruſted with the whole, may *Judge Prerogative.*

may be fitteſt to be truſted with particulars; And in this all Governours have been exceeding careful: The Secretary of the Iſland has this Office. The Wills are proved before the Governour as Judge; If no Will, he gives the Adminiſtration to the next of Kin, or greateſt Creditor, and they give Security, and take their Oaths, to bring into the Office Inventories, to Adminiſter faithfully, *&c.* Great care is taken herein, that right may be done to the People that are abſent. The Judge has no Fee: The Secretary as in his Table of Fees.

*The Admiralty.* The other Office, the Governour is veſted with by his Majeſties Commiſſion under the great Seal, is that of Vice Admiral to his Royal Highneſs, from whom he has a large Commiſſion without a Fee or Salary: By Virtue of this Commiſſion the Governour has conſtituted an Admiralty Court at *Port-Royal*, with Judge, Regiſter, Marſhal, Proctors, *&c.* that proceed exactly to the Civil and Maritime Laws practiſed in *England* and *Europe*.

*Judge Admirals particular Commiſſion.* The Judge Admiral has alſo a particular Commiſſion from the Governour, to Hear and Determine all Petty Differences betwixt Seamen and Maſters, becauſe their Differences ſhould be ſuddenly diſpatch'd,

ſpatch'd, and without the charge of calling Admiralty Courts. To order this more regularly, the Marſhal attends the Judge; The Regiſter keeps a particular Record of what's done: A Sailor can have no Diſpute with an Inhabitant, becauſe (by the Law) the one is not to Deal, nor the other to give Credit. And this Judge and Regiſter likewiſe have order to take the Depoſitions and Informations of all that have loſt by Pyrates or others, that their Names, Loſſes, *&c.* may be remembred; ſo that on occaſion ſatisfaction may be demanded, or the Pyrates puniſh'd.

*Vice-Admiral.*

The Governour is not only Vice-Admiral to his Royal Highneſs by the King's and his Royal Highneſs Commiſſion, but has a Commiſſion to command all the Men of War that come into theſe Ports and Coaſts, and by virtue thereof grants Commiſſions of War againſt the Kings Enemies, Pyrates, *&c.*

*Office of Enrolments.*

This Iſland being the laſt Royal Colony the King has been pleaſed to ſettle, better Meaſures for its Government and Laws ſeem to be taken; For here all are enjoined to Enroll their Deeds, to prevent fraudulent Conveyances, as may appear by the Act made for that purpoſe, in the enſuing Book; The Secretary of the Iſland has this Office, and the Entries and

*Secretary of the Iſland.*

Diſpatch of Ships, the granting Licenſes to Marry, and leave to ſell Wine, giving Tickets, *&c.* His Fees for all are ſeen in the Laws following; And what Security he and the other Officers muſt give for their faithful Execution and honeſt Diſcharge of their ſeveral Places.

*Provoſt Marſhal General.* The Provoſt Marſhal General is the executive Officer of Juſtice, he and his Deputies are the Officers that attend the Governour, Courts and Aſſemblies, execute all Writs and Orders, and do what High Sheriffs, Uſhers of the Black Rod, Sergeants, Goalers, *&c.* do in *England*: The Governours may except againſt the Pattent Officers Deputy, but cannot make an Officer, where the Offices are pattented, as they are for the moſt part (and for Lives too) in *England.*

*Militia.* The Militia in this Iſland is better Arm'd, and much better Diſciplin'd than in *England*, and do much more duty, as waiting on the Governors, guarding the Forts, eſpecially at *Port-Royal*, where there are Ten Companies of about 200 in each, one of which watches every Night. All the Militia is commanded by the Governour, as Captain General, according to his Majeſties Powers and the Act of Militia. There's Eight Regiments in the Eight Provinces, and a Troop of Horſe

in

in every Province, that makes one Regiment. At *Port-Royal* is a Captain of the Caſtle (and Three honorary Captains of Forts) and Twelve Gunners and Matroſſes, all paid by the King, out of the Revenue ariſing in the Iſland; theſe lodge in the Caſtle and Forts, and take a conſtant care of the Guns, Arms Ammunition, *&c.* In *Port-Royal* is a Caſtle and four Forts, wherein are mounted 145 Guns. *Captain of the Caſtle and Gunners.*

In each of theſe Eight Provinces or Precincts, the Colonel, or Gentleman of the beſt Ability and Eſtate, is the *Cuſtos Rotulorum*, and with the other Juſtices of the Precincts, holds Quarterly a Seſſion for puniſhing Miſdemeanours and thoſe Crimes that are there cognizable, and have Clerks of the Peace, Deputy-Marſhals or Under-Sheriffs, Juries, *&c.* all exactly after the manner of *England*, and there every thing is determined and regulated by the Laws of *England*, or the Municipal Laws of the Iſland, for the Peace and good Government of the Precinct. *Quarter Seſſions.*

In each Province or Precinct is likewiſe held a Petty Court, that is, in the nature of *Court Baron*, or Sheriffs Court, where the ableſt Gentleman is Judge, and has two of the Juſtices to be his Aſſiſtants; *Petty Courts.*

and

and theſe very juſtly and formally hear and determine all Actions, Pleas, *&c.* ariſing among the Neighbours in the Precincts, not exceeding 20 *l.* if it does, they take a *Juſticias* out of Chancery, that for the Peoples eaſe is always granted. But nevertheleſs by the *Certiorari*, Writ of Error, *&c.* they may bring Cauſes out of theſe Courts into the Kings-Bench, or Grand Court.

*Grand Court.* The Grand Court has a Chief Juſtice, commiſſioned by the Governour, under the great Seal of the Iſland, that has 120 *l. per Annum* Salary, paid by the King; he has four Juſtices to his Aſſiſtants, that ſerve as the Petty Judges do, for nothing, only the honour and ſatisfaction to ſerve the King and Country. This Court is attended by the Marſhals, Clerk of the Crown, Coroners, *&c.* And has a particular Clerk or Prothonotary, and does in its Power and Proceeding, reſemble the Kings-Bench, Common Pleas, Exchequer and Aſſizes in *England*; It is (like the Terms) held Quarterly at St. *Jago de la Vega*: The Manner of holding it, Fees, Proceſſes, *&c.* appear at large in the enſuing Law, made for that purpoſe.

This Account may be ſufficient to give a View of the Government and of the Advantages the Planters and Inhabitants enjoy

enjoy under his Majeſties immediate Protection, which cannot but with the greateſt reaſon invite every man that reſolves upon foreign Settlements, to prefer the State of this Government to all new Diſcoveries and Undertakings, eſpecially to Proprieties of what nature ſoever, and the rather when it ſhall be conſidered, That his Majeſty, for ſecurity of Trade, and Protection of his Subjects againſt Enemies and Pyrates, has always Frigates attending this Iſland and his other Governments, and is ready to give ſuch further Aſſiſtance, as the occaſion ſhall require, when as it cannot be expected that an equal Care ſhould be had of Proprieties and ſuch Colonies that have withdrawn themſelves, though not from the Tye of their Allegiance, yet from that nearer Dependance which might more endear them to his Majeſty, and deſerve the ſame Care, Charge, and Protection, which other Plantations, under a more immediate Direction and Influence of the Crown, have never wanted from His Moſt Gracious Majeſty.

*JAMAICA,*
Octob. 1. 1683.

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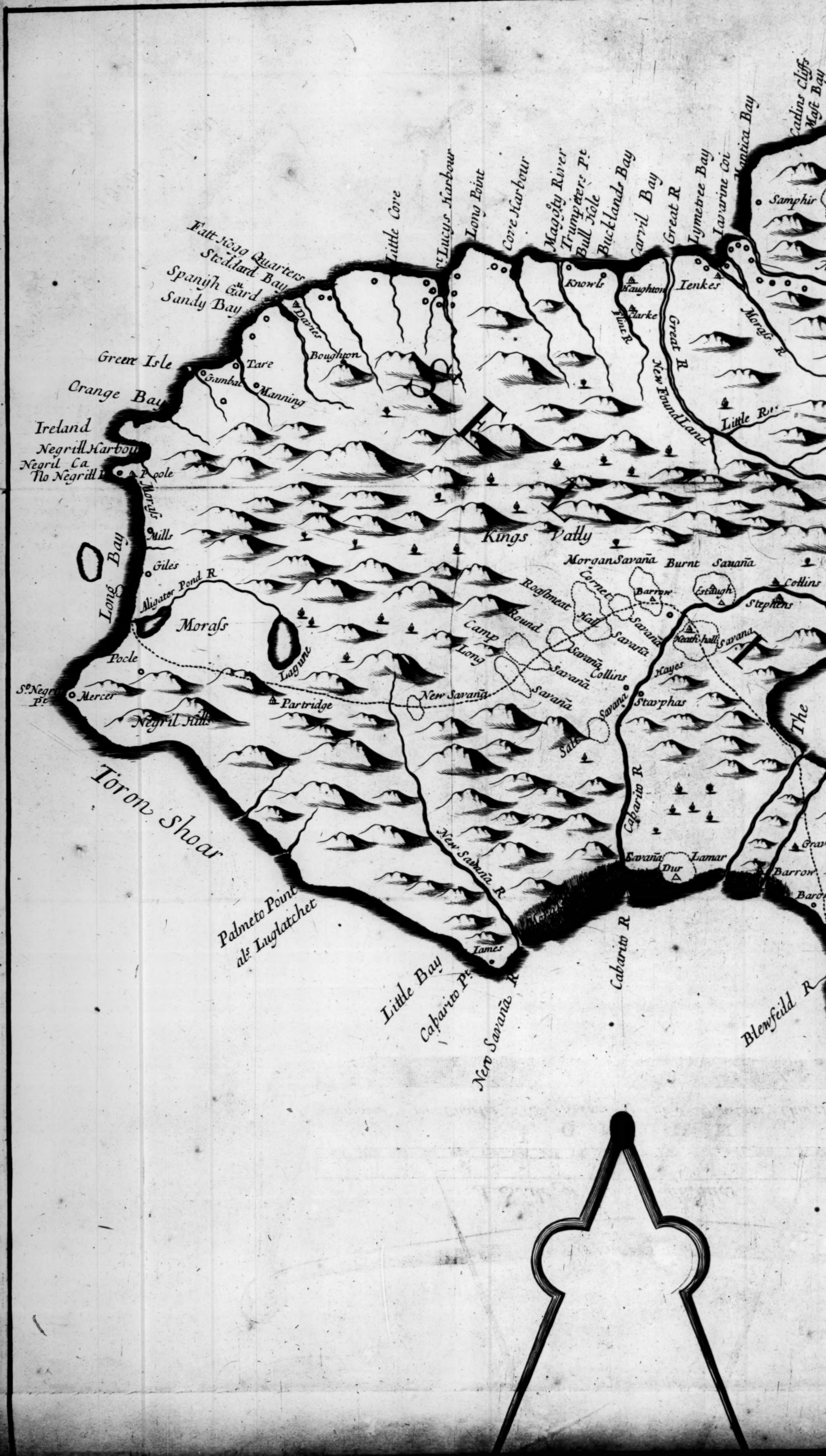

Catlins Cliffs
Mast Bay
Mantica Bay
Lymetree Bay
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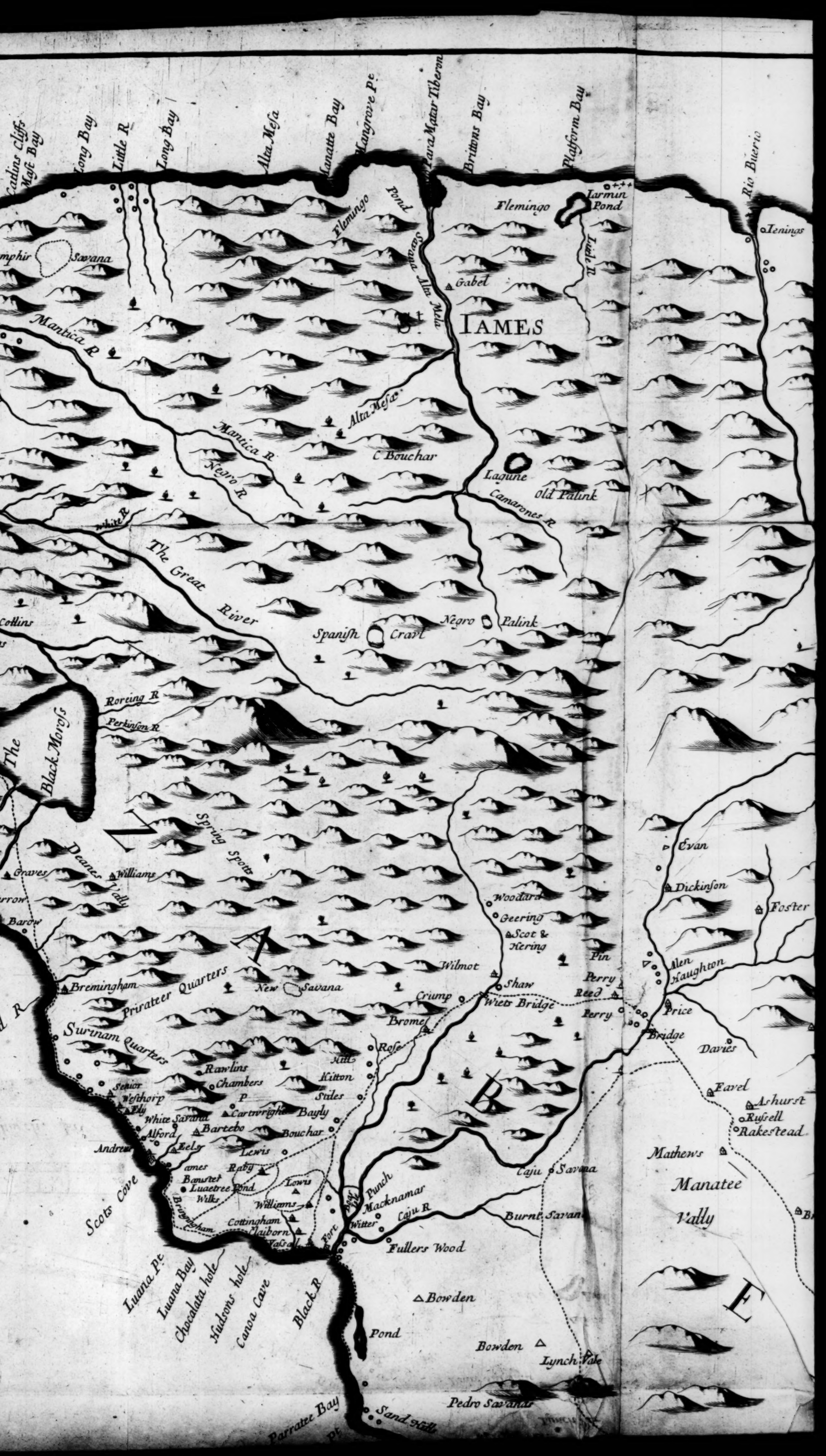
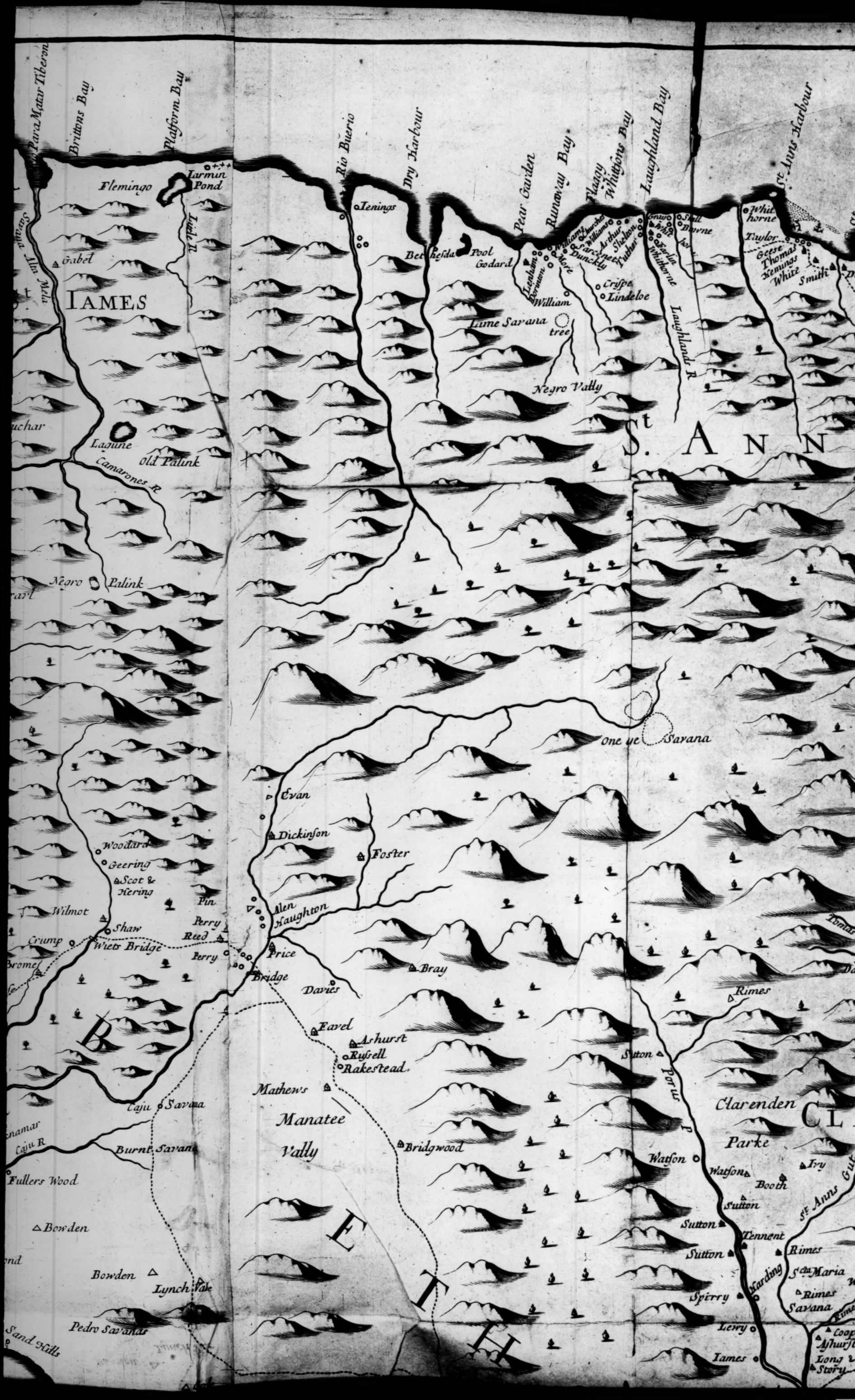
Great R
Carvil Bay
Bucklands Bay
Bull Hole
Trumpeters Pt
Maggoty River
Cove Harbour
Long Point
St Lucys Harbour
Little Cove
Fatt Hogg Quarters
Stoddard Bay
Spanish Guard
Sandy Bay
Davies
Boughton
Tare
Gambal
Manning
Green Isle
Orange Bay
Ireland
Negrill Harbour
Negril Ca
No Negrill P
Poole
Morass
Mills
Giles
Long Bay
Aligator Pond R
Morass
Pocle
Lagune
Mercer
Partridge
Negril Hills
Toron Shoar
Palmeto Point
als Luglatchet
Little Bay
Caparito Pt
Nero Savaña R
James
New Savaña R
Cabarito R
Knowls
Haughton
Clarke
Flint R
Ienkes
Great R
New Found Land
Little R
Morass R
Samphir
Kings Vally
Morgan Savaña
Burnt Savaña
Cornet
Roastmeat
Round
Camp
Long
Hall
Savaña
Collins
Barrow
Estaugh
Collins
Stephens
Heath hall
Savana
Hayes
Starphas
New Savaña
Salt
Savaña
Lamar
Dur
Barrow
Cabarito R
Blewfeild R
The



Catlins Cliffs
Mast Bay
Long Bay
Little R
Long Bay
Alta Mesa
Manatte Bay
Mangrove Pt
Para Matar Tiberon
Brittons Bay
Platform Bay
Rio Buerio
Flemingo
Pond
Flemingo
Larmin Pond
Ienings
Savana
Savana Alta Mesa
Gabel
Little R
St. IAMES
Mantica R
Alta Mesa
Mantica R
C Bouchar
Negro R
Lagune
Old Palink
Camarones R
White R
The Great River
Collins
Spanish Cravl
Negro Palink
Roreing R
Perkinson R
The Black Moross
Spring Spotts
Deanes Vally
Graves
Williams
Barow
Evan
Dickinson
Foster
Woodard
Geering
Scot & Hering
Pin
Alen Haughton
Wilmot
Shaw
Perry
Reed
Perry
Bremingham
Prirateer Quarters
New Savana
Crump
Wiets Bridge
Price
Bridge
Brome
Surinam Quarters
Rose
Davies
Rawlins
Chambers
Kitton
Senior
Westhorp
Ely
Stiles
Favel
Ashurst
Russell
Rakestead
White Savana
Cartwright
Bayly
Alford
Bartebo
Bouchar
Andrews
Eels
Lewis
Mathews
Raby
Banister
Luaetree Pond
Wilks
Lowis
Caju Savana
Manatee Vally
Scots Cove
Williams
Punch
Macknamar
Caju R
Burnt Savana
Cottingham
Claiborn
Witter
Fort
Fullers Wood
Luana Pt
Luana Bay
Chocalata hole
Hudsons hole
Canoa Cave
Black R
Bowden
Pond
Bowden
Lynch Vale
Pedro Savanas
Parratee Bay
Sand Hills



Para Matar Tiberon
Brittons Bay
Platform Bay
Rio Buerio
Dry Harbour
Pear Garden
Runaway Bay
Flaggy
Whittsons Bay
Laughland Bay
St. Anns Harbour
Flemingo
Iarmin Pond
Little R.
Ienings
Bethesda
Pool
Godard
Lenham
Dorinton
Williams
Churches
Williams
Arthur
Sarcenet
Shelton
Tuther
Duncky
More
Gray
Whit
Farlin
Whithorne
Shell
Bowne
Whit horne
Taylor
Geese
Thomas
Hemings
White
Smith
Gabel
Savana Alta Mela
IAMES
Crispe
Lindeloe
William
Lime Savana
tree
Laughlands R.
Negro Vally
St. ANN
Lagune
Old Palink
Camarones R.
Negro Palink
One ye Savana
Evan
Dickinson
Foster
Woodard
Geering
Scot & Hering
Pin
Wilmot
Shaw
Perry
Reed
Perry
Alen
Haughton
Crump
Wiets Bridge
Price
Bridge
Bray
Davies
Rimes
Favel
Ashurst
Russell
Rakestead
Sutton
Porus P.
Mathews
Manatee
Vally
Caju Savana
Caju R.
Burnt Savana
Bridgwood
Clarenden
Parke
Watson
Watson
Booth
Ivy
Fullers Wood
Sutton
St. Anns Gut
Bowden
Sutton
Tennent
Sutton
Rimes
Bowden
Lynch Vale
Harding
Sta. Maria
Spirry
Rimes
Savana
Pedro Savanas
Lewy
Sand Hills
Iames
Long & Story

St Anns great River
Don Christophers Cove
Rocky Cay
Ocho Rio Bay
Ocho Rio Fort
Ocho R. Great Bay
White River
Perezil Isle
Rio Nuevo Fort
Jarrisse Pt
Breastwork Bay
Charles Bay
St Ora Cabeca Bay
Gallina Pt
Drax Hemings
Drax
Penniston
Dairie
Fort Thomas
Wall
Watts
Bunham
Abraham
Fountaine
Fountaine
Deleon
Stace
Petty
Fountaine
Knolles
Rio Nuevo
Vleming
Port Maria
Green Cove
Festers Cove
Blowin Pt
Rocky Cove
Moone
Knollis
New Stace
Cary
S. MARIES
Rio hon
Savana
Ipswich
Cope
Bexwels
Langley
Hermitage
Irapham
Pond
Rio Sambre
Ilan
Morgan
Rumney
Leake
Moroan
Keywood
Roden
Esher
Lynch
Haughton
Mount Maria
Vaughan
Bathurst
Orange R
Bathurst
Calibash Bottom
Modford
Waters R
Pedros Cockpits
White cliffs
Philip
Mary
Mount Diablo
Read
Magotty Savana
Spring Savana
Nelson
Style
Bourden
Palmer
Mosely
Oldfield
Gobay
Delapara
Burton
Hamson
St Thomas
in y. Vale
Ballara
Lespinas
Alva
Kyde
Carke
Fr. Rose
Coseas
Rose
Mickleton
Kilbard
Athara
Mathens
Gray
Freeman
Pind
Vezy
Nobleton
Read
Flora Boa
Rio de Flora
Anchovy
Volly
Savana
Elkin
Rosefull
Valley
Palmers
Nut
Hopkins
Bourden
Wilson
Wakefeild
Hall
Griffin
Juan de Bolas
Rio de Cobre
Bennet
Coates
Gay
Bragg
Beckford
& Anaplin
Chambers
Welden
Creswence
Smoky
Hole
Abrahams
Crawle
Gunters
Garison
Laugher
Golden Vale
Chernore
Carliste
Aylmer
Vicory
Cowhides
Inidrs
Perry
Martin
Bamet
Bolt
Fonceca
dela
Ballard
Bragg
Angels
Ashurst
Old Womans Savana
Veringales
Lorkin
Ramshaw
Tilling
Bindloss
Ram
Watson
Dometrius
Spring Savana
Parsons
Walce
Dawkins & Whitson
Pennant
Gent
Tenant
Allegant
Whitson
Oaks
Roden
Nuet
Peters
Tomas
Tomson
Littleton
Darkins
Long
Watson
Watson
Pickeing
Marshall
Gent
Watson
Cotes
Darkins
Hazard
Walce
Darkins
Browne
Walce
Barnes
Peeke
Young
Hales
Kettle Spr
Walce
Bullers Savana
Darkin
Cooper
Beckford
Sykes
Manour
Fuller
Waldroad
Masters
Pedro
Sykes
Bennet
Wringer
Peeke
Goffe
Long
Watson
Ram
Tilling
Tenant
Bindloss
Pennant
Allegant
Whitson
Oaks
Watson
Roden
Nuet
Parsons
Dometrius
Spring Savana

Printed for Charles Harper over against St Dunstans Church In Fleet Street.

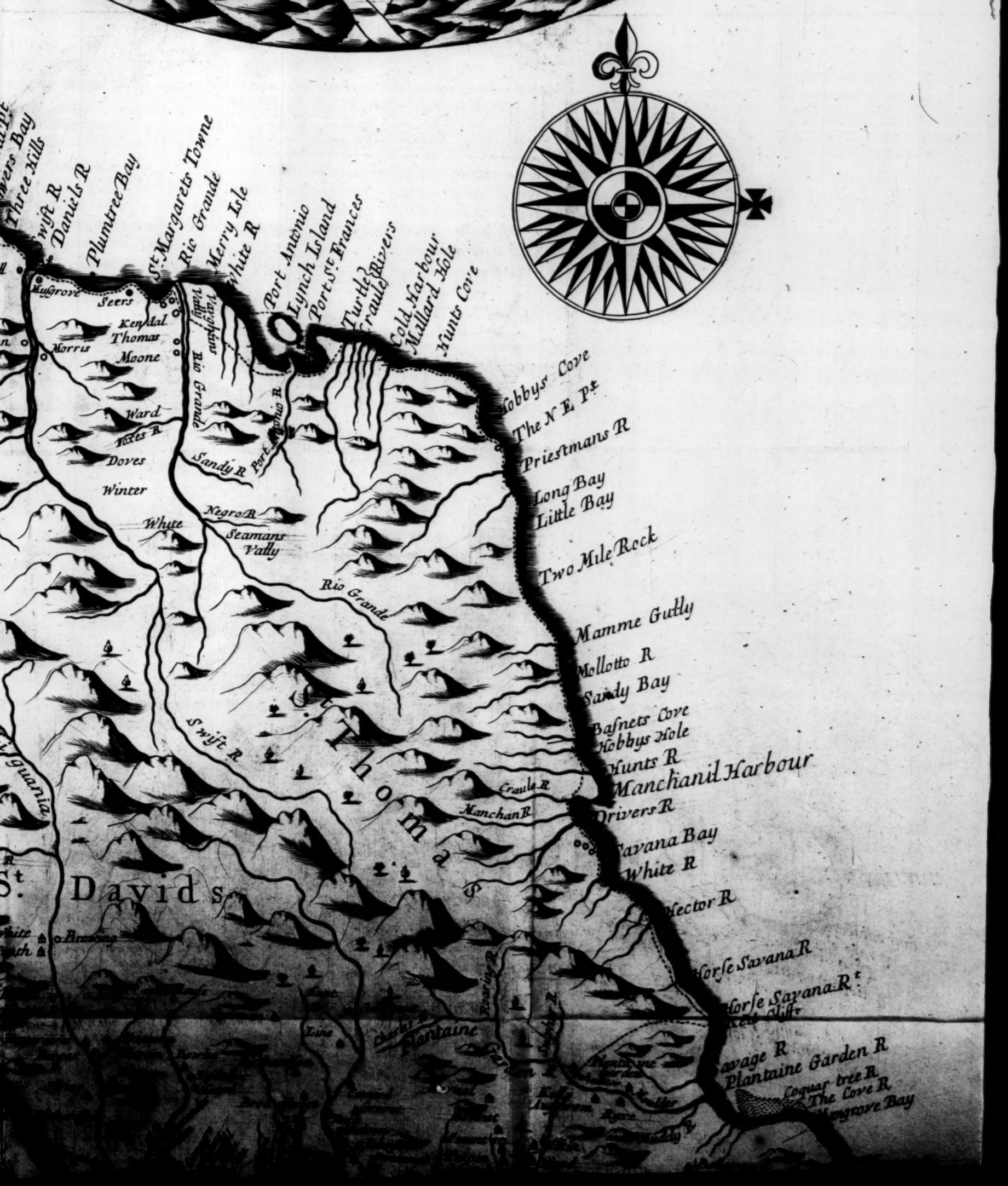
Charles Bay
Ora Cabrera Bay
Fallina Pt
Fountaine
Fountaine
Deleon
Stace
Petty Fountaine
Cespers hill
Knollis
Moone
Stace
Ilan Morgan
Rumney
Ipswich
Bexwell
Liangley
Hermitage
Irapham
Rio Sombre
Ire Molesworth
Leake
Heywood
Roden
Moroan
Pullards Valley
One Such Trail
Esher
Lynch & Haughton
Mount Maria Vaughan
Bathurst
Orange R
Philip & Mary
Read
Mount Diablo
Nelson
Style
Gourdent
Palmer
Mosely
Madotty
Savanna
Spring
Sarrina
Oldfield
Gobay
Delapara
Flora Boa
Rio de Flora
Anchovy Volly
Savana
Bourden
Wilson
Wakefield hall
Griffin
Coates
Bennet
Kemmas
Bragg
Smoky Hole
Beckford & Anaplin
Chambers
Weden
Crescence
Abrahams Cranke
Gunters
Garison
Laugher
Guy
Golden Vale
Chernore
Aylmer
Carliste
Ytcory
Cowhides
Angels
Inuds
Pekry
Martin
Barnes
Ellsom
Ucoa
Bachelor
Horse
Freeman
Fenwick
Hodges
Beckford
Cox
Fenwicke
Bonner
Rawkinson
Holmes
New Parke
Cope
Guy
Molesworth
Bowden
Retreat
Black R
Salt R.
Pitt
Town Gully
Salt R
Sand Hills
Philip & Mary
Read
Nelson
Style
Gourdent
Palmer
Mosely
Madotty
Savanna
Spring
Oldfield
Kamson
Burton
Alta Carke
Hyde Carke
Fr. Rose
Coseas
Rose
Mickleton
Killiard
Nedham
Madyford
Bedlara
Lespinas
Mathews
Gray
Rio de Pedro Village
Freeman
Pind
Vezy
Hobleton
Read
Palmers
Kut
Hopkins
Vale
St Thomas in y. Vale
Bellara
Vellum
Wicket
Point
Ballard
Nedham
Kilmard
Atkin
Horsehill
Wally
Wooder
Cope
Sams
Graves
Tod
Cope Place
Aylmer
Pitts
Ayscough
Laugher
Guy
Golden Vale
Chernore
Carliste
Ytcory
Cowhides
Savana
Bacheler
Fonceca
Bolt
Martin
Barnes
Ellsom
Inuds
Pekry
Ballard
Bragg
Rio de Cobre
Beckford & Anaplin
Chambers
Weden
Crescence
Angels
Gunters
Garison
Smoky Hole
Abrahams Cranke
Thedford
Hall
Fuller
Crew
Terry
Bindles
Bridges
Molesworth
Parnard
Fenwick
Hodges
Beckford
Cox
Fenwicke
Spring Garden
Horse
Freeman
Watson
Wellin
Martin
Forest
Rocky Cove
Christophers Cove
Green Cove
Fosters Cove
Blowin Pt
Old Port Maria
New Port
Port Maria
Bathurst
Calibash Bottom
Modiford
Waters Valley
Waters R
Aqualta
Bounden
Stony R
Sadler
Valley R
Ginges R
Foxes R
Killiard
Ruinate
Speckington
Cassava R
Little Toms R
Toms R
Wagwater
Annotto R
Sandy R
New R
Negro R
Broddmouth R
Belfeild
Vicks & Molloway
Barry
Beeston
Archbold
Plant
Clayton
Vale
Delacree
Fotherly
Hardinge
Southerly
Clifton
Macragh
Grigg
Drewry
Hognoce R
Brayne
Fall R
Nero Liguanea
Clarke
Marerly
Waterhouse
Parker
Sleigh
Robinson
Prince
Brayne
Dickons
Fotherly
Barbicue R
Negro R
Carter
Danick
Blanmill
Pembertons
Pinick
Way Tree
Nanny Bay
Childermas
Crans
Elkin
Rose
Cawthack
Molesworth
Bogg
Parkes
Fuller
Drury
Lewis
Saunders
Duck
Eaton
Ellis
Barry
Tagel
Bull
Lewis
Archbold
Plant
Beeston
Clayton
Vale
Delacree
Fotherly
Hardinge
Southerly
Clifton
Macragh
Grigg
Drewry
Hognoce R
Brayne
Fall R
Nero Liguanea
Dry R
Figtree Bay
Palmeto Pt
Modiford R
Alligator Pond
Sam Bay
Annotto R
Pencarne R
Aqualta Bay
Knollis
Lynch & Broughton
Floyer
Ferry
Ward
Ward
Brewer
Pitt
Iter Borealle
Modyford
Sonky
Williams
Prescot
Elvard
Bennet
Modyford
Golden Grove
Molesworth
Browne
Lynch & Modyford
Silver Vally
Cherry Garden
Modyford & Gregory
Orrell
Pentarhe
White R
Buff Bay R
White Cliff Bay
Spanish R
Orange Bay
Savana Pt
Three Hills
Lewin
Bowman
Martin
Ward
Buff Bay R
Bull
Mohun
Wingar
Devils R
Swimmer
Rafel Becket
White
Bucke R
Rose
Vicks
Holloway
Haughton
Penhallow
Modyford
Clark
Phillip & Beeston
Fotherly
Rock
Brayne
Ellitson
Hope R
Turpin
White
South
St. Andrews
Liguani
Savana
Passage Fort
Port Royall Harbour
Modfords Creeke
Musquito Pt
Pelican Pt
Mangrove
Port Royall
Modfords
Salt pond
Gunne Cay
Burying Cay
Bush Cay
Sandy Cay
Lime Cay
Easternmost Cay
Plumb Pt
Long Bay
Three Cane R
Bull Bay
Cane R
St. Georges

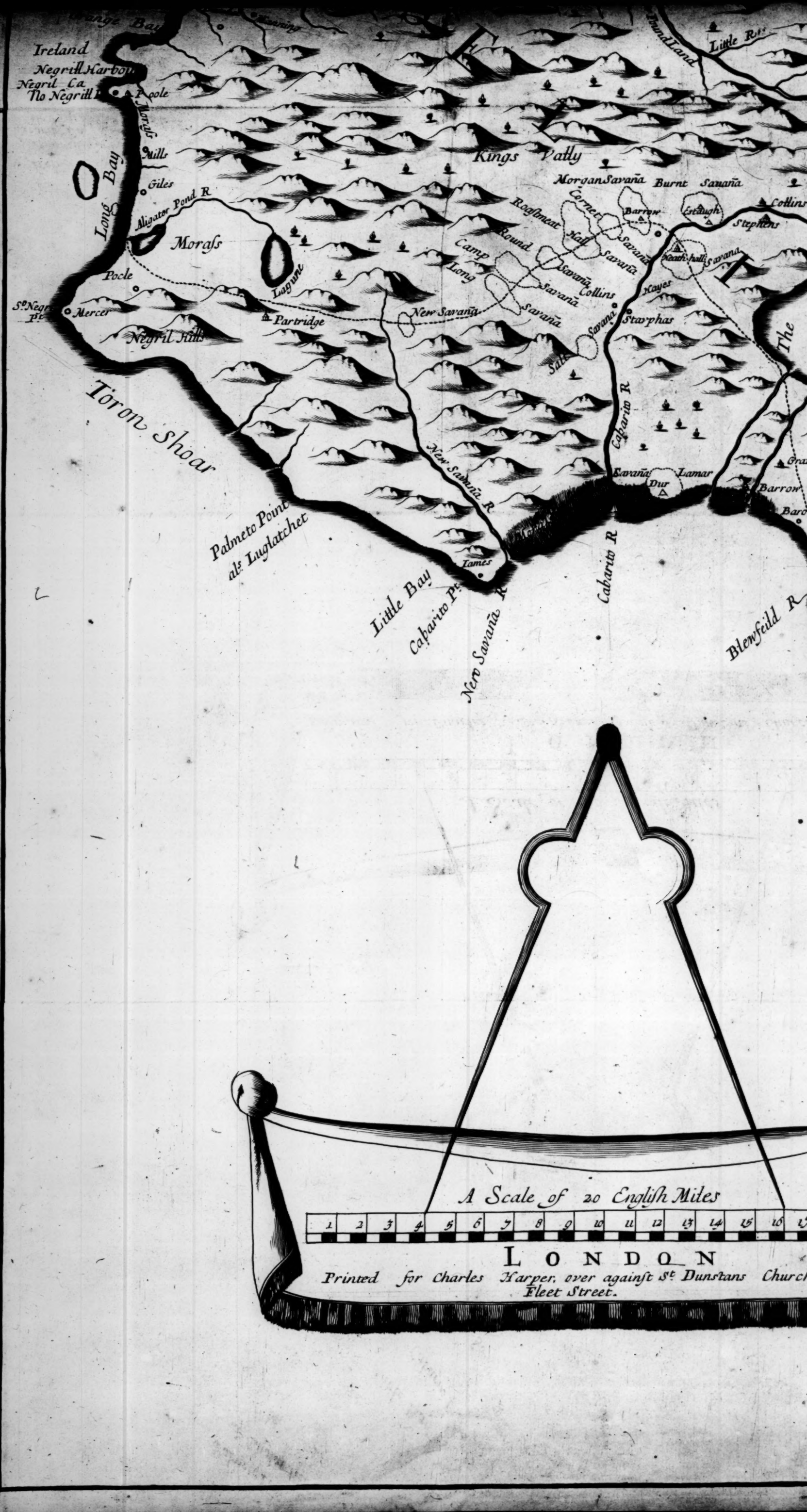
# A NEW & EXACT MAPP OF THE ISLAND OF JAMAICA

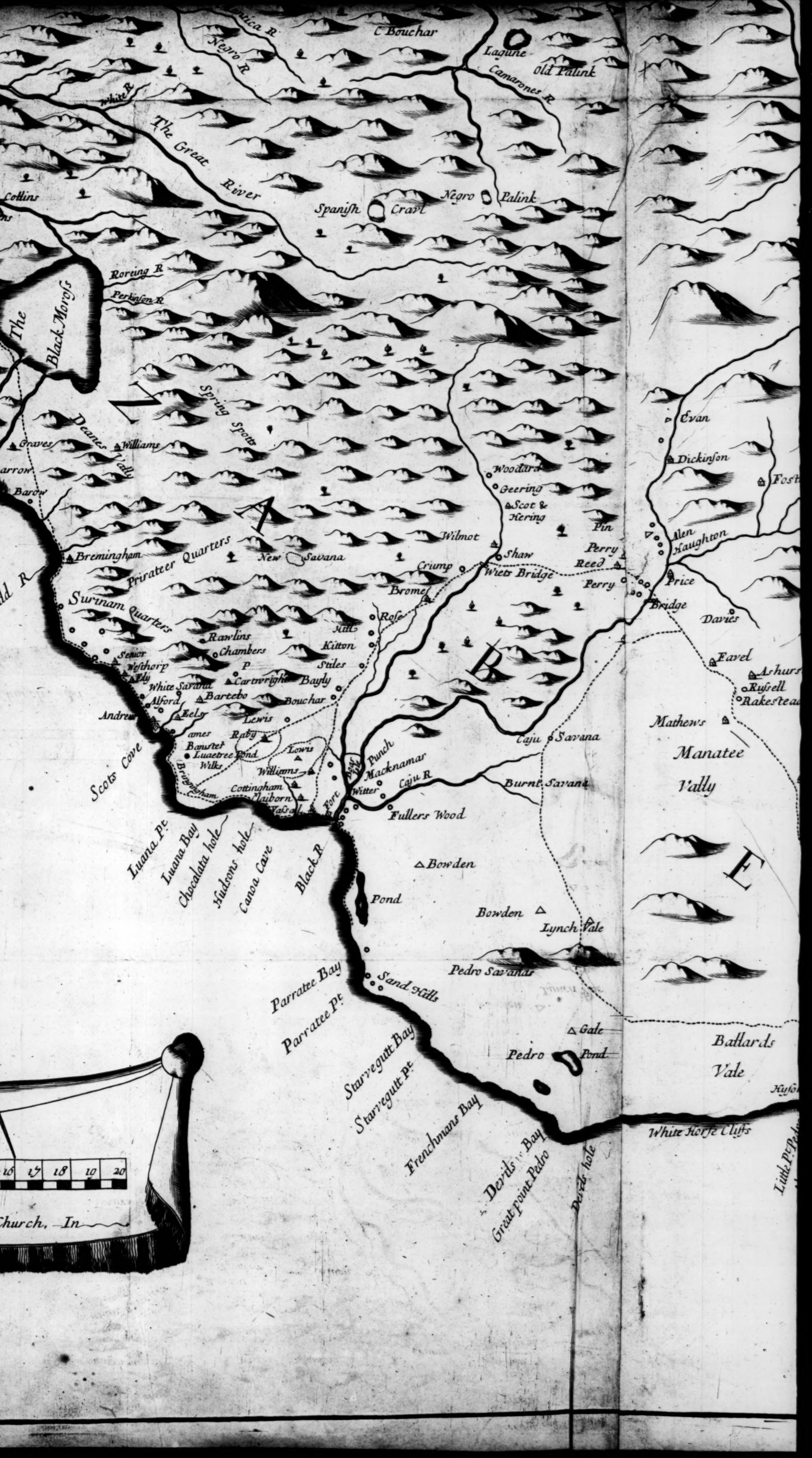
*With ye true and Iust Scituation of ye Severall Townes, & Churches, & Alsoe The Plantations, with their Names & ye Names of ye Proprietors, with amendments of great part of ye sea Coast, but more Especially ye Harbour of Port Royall, by Actuall Survey, to satisfy such as desire to know ye true Longitude, & Latitude, of any places mentioned in this Map, the Latitude of Port Royall was accurately taken by a Gnoman of more then 23 foothigh, and found to bee 17°: 32'. & its Longitude, from London 76. westward, or 5 hours & 4 minutes.*

*The Caracters Exprest in ye Mapp are*

| | |
|---|---|
| For a Towne ... | For Cotton workes & Provision Plantacons |
| For a Church ... | For a Cacao Walke |
| For a Sugar worke | For Craules for Hoggs & Pens for Cattel |
| For an Indico worke | |




Ireland
Negrill Harbour
Negril Ca
No Negrill
Poole
Morass
Mills
Giles
Long Bay
Aligator Pond R
Morass
Pocle
Mercer
Negril Hills
Partridge
Lagune
Kings Vally
Morgan Savaña
Burnt Savaña
Roastmeat
Cornet
Barrow
Estaugh
Collins
Stephens
Round
Hall
Camp
Long
Savaña
Collins
Hayes
New Savaña
Starphas
Salt
Toron Shoar
Palmeto Point
als Luglatchet
New Savaña R
Cabarito R
Savaña
Dur
Lamar
Barrow
Little Bay
Cabarito Pt
Nero Savaña R
Cabarito R
Blewfeild R
A Scale of 20 English Miles
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16
LONDON
Printed for Charles Harper, over against St Dunstans Church
Fleet Street.



C Bouchar
Lagune
Old Palink
Camarones R
Negro R
White R
The Great River
Collins
Spanish Cravl
Negro Palink
Roreing R
Perkinson R
The Black Moross
Spring Spotts
Deanes Vally
Graves
Williams
Barow
Woodard
Geering
Scot & Hering
Evan
Dickinson
Pin
Wilmot
Shaw
Perry
Reed
Alen Haughton
Bremingham
Prirateer Quarters
New Savana
Crump
Wiets Bridge
Perry
Price
Bridge
Brome
Surinam Quarters
Rose
Davies
Rawlins
Chambers
Kitton
Senior
Westhorp
Ely
Stiles
Favel
White Savana
Cartwright
Bayly
Alford
Bartebo
Bouchar
Russell
Andrews
Eels
Lewis
Mathews
Raby
Caju Savana
Banister
Luaetree Pond
Wilks
Lowis
Punch
Macknamar
Manatee Vally
Scots Cove
Williams
Caju R
Burnt Savana
Cottingham
Claiborn
Witter
Fullers Wood
Luana Pt
Luana Bay
Chocalata hole
Hudsons hole
Canoa Cave
Black R
Bowden
Pond
Bowden
Lynch Vale
Pedro Savanas
Parratee Bay
Sand Hills
Parratee Pt
Gale
Pedro Pond
Ballards Vale
Starvegutt Bay
Starvegutt Pt
Frenchmans Bay
White Horse Cliffs
Devils Bay
Great point Pedro
Devils hole
16 17 18 19 20
Church, In

St. ANNS
One Lye Savana
Evan
Dickinson
Foster
Alen
Haughton
Price
Bridge
Davies
Bray
Favel
Ashurst
Russell
Rakestead
Mathew's
Manatee
Vally
Bridgwood
E
T
H
S
Ballards
Vale
Stevin
Hysom
Fleming
Devils Race
White Horse Cliffs
Little Pt. Pedro
Aligator Pond
Red Cliffs
Devils Pt.
Coquar Plumb Bay
Long Bay
Swift River
Flint Bay
Milk R.
Maccary Bay
Maccary Pt.
Mino R.
Schaels hole
Salt Savana
Round Hill
Milke Savana
Vere R.
Vere Park
Langleys Land
Sutton
Rimes
Porus P.
Clarenden
Parke
Watson
Booth
Ivy
St. Anns Gut
Tennent
Harding
Spirry
Lewy
Iames
North
Rimes
Sta. Maria
Savana
Cooper
Ashurst
Long &
Story
Tomas
Halce
Dawkins &
Whitson
Pennant
Ticke R.
Peters
Parsons
Alligant
& Whitson
Gent
Tenant
Bindloss
Oaks
Watson
Roden
Huet
Dometrius
Spring Savana
Ashurst
Old Wor
Veringales
Lorkin
Ramshaw
Tilling
Long &
Watson
Tilling
Long
Watson
Watson
Pickeing
Marshall
Mino R.
Gent
Watson
Cotes
Rimes R.
Bullers Savana
Dawkins
Barnes
Peeke
Dawkins
Hazard
Halce
Browne
Halce
Kettle Spr
Halce
Hunt
Hales
Maning
Smart
Castle
Pye
King
Swarton
Morant
Keen
Sheen
Wright
Peeke
Barclay
Edmonds
Ivy
Goodwin
Corner
Durant
Tenner
Colien
Burrows
Knights
Rippon
Phelps
Colier
Fawcet
Fisher
Wolascot
Varney
Carlisle
VERE
PARRISH
PA
SH
CLARENDON

S. MARIES

St. DOROTHYS

St. KATHERINES

St. Thomas in y. Vale

St. Andrews

St. Ge

Port Royall Harbour

Old Harbour

Sand Hills

Hellshire

Rio Nuevo

Rio Sambre

Monegue Savana

Old Womans Savana

Spring Savana

Flora Boa

Rio de Flora

Rio de Cobre

Rio de Pedro Vinago

Passage Fort

Port Royall

Modiford

Dry R

Figtree Bay

Palmeto Pt

Algator Pond

Rocky Cove

Green Cove

Esters Cove

Blowin Pt

Bathurst

Calibash Bottom

Waters Valley

Stony R

Bounden

Barrys R

Anotto R

Pencarne R

Sadler

Valley R

Ginges R

Foxes R

Little Toms R

Agualta

Waiers R

Sua Alta Bay

Anotto R

Pencarne R

Modiford R

Dry R

Figtree Bay

Palmeto Pt

Algator Pond

Rocky Cove

Green Cove

Esters Cove

Blowin Pt

Knolles

Deleon

Stace

Petty-Fountaine

Coopers hill

Knollis

Stace

Ilan Runney

Ipswich

Bexwels

Langley

Hermitage

Irapham

Ballards Valley

None Such

Grail

Ire Molesworth

Leake

Heywood

Moroan

Roden

Esher

Lynch & Haughton

Mount Maria

Vaughan

Bathurst

Orange R

Philip & Mary

Mount Diablo

Read

Pedros Cockpits

White cliffs

Nelson

Style

Bourden

Palmer

Mosely

Madiford

Magotty Savana

Oldfield

Kamson

Burton

Ballara

Lespinas

Alia

Kirke

Carke

Mr. Rose

Coseas

Rose

Mickleton

Kilburd

Nedham

Mathews

Gray

Freeman

Pind

Vezy

Nobleton

Read

Anchovy Volly

Volly

Kilburn

Roberts Volly

Palmers

Kut

Hopkins

Bowden

Wilson

Wakefield hall

Griffin

Coates

Bragg

Gay

Kemings

Oldfield

Spring Vale

Penton Lord

Abraham Clarke

Beckford & Anaplin

Chambers

Smoky Hole

Weden

Crescence

Angels

Ballard

Bragg

Gunters

Garison

Laugher

Guy

Golden Vale

Chernore

Aylmer

Dod

Victory

Carliste

Inders

Perry

Martin

Barnet

Bolt

Fonseca

Cowhides

Bachelor

Ucda

Ft Lazo

Horse

Spring Garden

Freeman

Hall

Fuller

Crew

Molesworths

Barnard

Fenwick

Watson

Wellin

Martin

Forest

Thedford

Terry

Bindles

Bridges

Nodges

Beckford

Cox

Pentricke

Bonner

Rawlinson

Holmes

Guy

New Parke

Cope

Pitt

Town Gully

Bowden

Retreat

Salt R.

Blake R

Molesworth

Barnard

Banister

Molesworth

Barnard

Colebeck

Winter

Bodle

Knight

Best

Long

Reeve

Palmer

Young

Savana

Wright

Vrquhart

Bowser

Spiboa

Tomson

Littleton & Dawkins

Beckford

Manour

Fuller

Halstead

Masters

Sykes

Bennet

Greene

Peake

Syke

Stringer

Ram

Juan de Bolas

Penston

Wooder

Cope

Sams

Graves

Hornsby

Beckford

Sykes

Cope Place

Dod

Aylmer

Chernore

Golden Vale

Guy

Laugher

Garison

Gunters

Angels

Ballard

Bragg

Bolt

Inders

Perry

Martin

Barnet

Carliste

Victory

Marlo

Cowhides

Savana

Fonseca

Bachelor

Ucda

Ft Lazo

Horse

Spring Garden

Freeman

Watson

Wellin

Martin

Forest

Hall

Fuller

Crew

Molesworths

Barnard

Fenwick

Thedford

Terry

Bindles

Bridges

Nodges

Beckford

Cox

Pentricke

Bonner

Knight

Rawlinson

Holmes

Guy

New Parke

Cope

Pitt

Town Gully

Bowden

Retreat

Salt R.

Blake R

Molesworth

Barnard

Banister

Molesworth

Barnard

Colebeck

Winter

Bodle

To his Excellency Sr. Thomas Lynch Knight Captain Generall & Commander in Cheife of his Majesties Island of Iamaica and other the Territories depending thereon Charles Bochart and Humphrey Knollis Humbly dedicate this Mapp.

The Caracters Exprest in ye Mapp are
For a Towne
For a Church
For a Sugar worke
For an Indico worke
For Cotton workes & Provision Plantacons
For a Cacao Walke
For Craules for Hoggs & Pens for Cattel
Daniels R
Plumtree Bay
St Margarets Towne
Rio Grande
Merry Isle
White R
Port Antonio
Lynch Island
Port St Frances
Turtle
Craules
Rivers
Cold Harbour
Mallard Hole
Hunts Cove
Seers
Kendal
Thomas
Morris
Moone
Vaughans Vally
Rio Grande
Port Antonio R
Ward
Foxes R
Doves
Winter
Sandy R
Negro R
White
Seamans Vally
Rio Grande
Hobbys Cove
The N E Pt
Priestmans R
Long Bay
Little Bay
Two Mile Rock
Mamme Gully
Mollotto R
Sandy Bay
Basnets Cove
Hobbys Hole
Hunts R
Manchanil Harbour
Craule R
Manchan R
Drivers R
Savana Bay
White R
Hector R
Swift R
St Thomas
Davids
Browing
Horse Savana R
Horse Savana Rt
Red Cliffs
Savage R
Plantaine Garden R
Coquar tree R
The Cove R
Mangrove Bay
Pt Morant
Bellamount
Muddy R
Ryve
Moulder
Kelly
Aughrom
Elkin
Ward
Bouden
Harben Rope
Craule R
Saules R
Roaring R
Sulphur R
Plantaine Garden R
Charles R
Plantaine
Garbrant
Hunt
Line
Freeman
Rouse
Martin
Tolly
Freeman
Martin
Bowley
Tisdall
Heard
Richardson
Freeman
Gardin
Rouse
Spring
Ryves
Lobly
Alexander
Bowden
Alexander
Richardson
Broadstreet
Coward
Groves
Bach
Hudson
Johnson
Swimmer
Stoddard
Wornel
Bennet
Staunton
Turpin
Wale
Cooper
Littleton
Poore
Bamfield
Richardson
Freeman
Belvidere
Fox
Eliot
Yallah grant R
Yallah Bay
Yallah little R
Salt Pond Pt
White Cliffs
White R
Richardsons bay
Morant R
Free Towne
Freemans Bay
Summers Bay
White R
Savaña Chanel
Fishermans bay
Port St Thomas
Perah Pt
Lynch Fort
Canoe Bay
Fookes Bay
Fowle Pt
Craul Bay
Cane Garden R
Stony Pt
Sedgy Bay
White Bay
Little Sand Bay
Mangrove Bay
The Folly

AT THE

# COURT

AT

# WHITEHALL,

The 23d. of *February*, 1682.

PRESENT

*The King's Most Excellent* MAJESTY.

*Lord Keeper.*
*Lord President.*
*Lord Privy Seal.*
*Duke of* Ormond.
*Duke of* Beaufort.
*Earl of* Oxford.
*Earl of* Chesterfield.
*Earl of* Sunderland.
*Earl of* Clarendon.
*Earl of* Bath.
*Earl of* Craven.
*Earl of* Ailesbury.
*Earl of* Conway.
*Earl of* Nottingham.
*Earl of* Rochester.
*Lord Bishop of London.*
*Mr. Secretary* Jenkins.
*Mr. Chancellor of the Exchequer.*
*Lord Chief Justice* Pemberton.
*Mr.* Godolphin.

WHereas *by the Powers given unto* Charles *Earl of* Carlile, *late Governour in Chief of the Island of* Jamaica, *and in his Absence to the Commander in Chief thereof for the time then being, Dated the Third day of* November, *in the* 32d. *Year of His Majesties Reign, as also*

*by a Commiſſion unto Sir* Thomas Lynch, *Knight, now Governour in Chief of the ſaid Iſland, bearing Date the Sixth Day of* Auguſt, 1681. *His Majeſty has been Graciouſly Pleaſed to Authorize and Impower the Governour, Council, and Aſſembly of the ſaid Iſland to Conſtitute and Ordain Laws, which are to continue and be in force untill His Majeſties Pleaſure be ſignified to the contrary. And foraſmuch as certain Laws have in purſuance of the ſaid Powers and Commiſſions been tranſmitted unto His Majeſty, with the Humble Deſire of the ſaid Council and Aſſembly, that His Majeſty would be Pleaſed to paſs the ſame, in the Words following.*

# An ACT

## *Appointing the Number of the Aſſembly.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that in every Aſſembly hereafter to be called by His Majeſties Writs, and held within this Iſland, there be Choſen Three Repreſentatives for the Pariſh of St. *Catharines*, the like number for the Pariſh of *Port Royal*, and Two for each other of the reſpective Pariſhes that now are, or hereafter ſhall be in this Iſland; and that the Provoſt Marſhal, or his Lawful Deputy, give to every Perſon Elected, within ten Days after his Election, notice that he is ſo Elected.

*3 For St. Catherines.*

*3 For Port Royal.*

*2 For every other Pariſh.*

*The Provoſt Marſhal to give notice in 10 days to all that are Elected.*

*Provided* Always, that every Perſon Elected ſhall be a Free-holder in this Iſland, and that none have Right to Vote in any Election, but thoſe that are Free-holders in the ſame Pariſh where the Election is to be made.

*Every Member a Free-holder, and none elſe to Vote in Elections.*

An

# An ACT

## *For Regulating Servants.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That all and every Maſter or Maſters of Slaves, for the firſt five Working Slaves, ſhall be Obliged to keep one White Man Servant, Over-ſeer or Hired Man for Three Months at leaſt; and if the Number increaſe to Ten, Two; and for every Ten after the firſt, One, to be Reſident in the Plantation, where the Negroes are employed; and if any ſhall be wanting for the ſpace of ſix Months of the proportion aforeſaid, he, ſhe, or they for every Servant ſo wanting, ſhall forfeit five pounds to the Uſe of the Pariſh where ſuch Default ſhall be made, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record in this Iſland.

*One White Man for the firſt five Slaves.*

*For 10. Slaves two White Men.*

*For every ten more one White Man.*

*On Penalty of 5 l. to the Pariſh.*

And it is further Enacted and Ordained by the Authority aforeſaid, That all Maſters, Miſtreſſes, or Over-ſeers of Slaves, who ſhall not truly inform the Conſtable or Conſtables, within their ſeveral Precincts, when thereunto required, of all ſuch Hired Men, or Servants, and Working Slaves, as ſhall juſtly and truly belong unto them, or under their Care, ſhall forfeit the Sum of Twenty pounds, to be Recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, where no Eſſoign, Protection, or Wager of Law ſhall be allowed; one Third of which Penalty ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof; one Third to the Church-Wardens of the Pariſh where the Offence ſhall be Committed, for the Uſe of the ſaid Pariſh; and the other Third to the

*All owners ſhall give account of their Slaves, &c. when required.*

*One Penalty of 20 l.*

*one Third to the King.*

*One Third for the Pariſh.*

*One Third to the Informer or he that ſhall ſue and if the Conſtable neglect he ſhall forfeit 20l. as before.*

the Informer, or he that ſhall ſue for the ſame. And whatever Conſtable or Conſtables ſhall neglect his or their Duty herein, by not demanding an Account every ſix Months, and returning the ſame unto the Juſtices ſitting at the next Quarter-Seſſions of that Precinct, which they are hereby required to do, ſhall for every ſuch Default forfeit the like Sum of Twenty pounds, to be Recovered and applyed in manner and form aforeſaid.

*All Servants to have according to Indenture, where no Contract, under 18. to ſerve 7 years, above 18. 4 years, and at the end of their time to have 40s of the laſt Maſter, and a Certificate, or forfeits 40s.*

That all Servants ſhall have according to their Contract and Indenture, and where there is no Contract, or Indenture, Servants under Eighteen Years of Age at their Arrival in this Iſland, ſhall ſerve Seven Years, and above Eighteen Years of Age, ſhall ſerve Four Years, and all Convicted Felons, for the time of their Baniſhment, and at the expiration of the Times aforeſaid, ſhall receive from their laſt Maſter, Miſtreſs, or Employer Forty ſhillings, and a Certificate of their Freedom upon Demand; and whoſoever ſhall refuſe, without juſt Cauſe, to give ſuch Certificate to Servant, Artificer, or Labourer, whoſe Time is expired, or Contract performed, ſhall forfeit forty ſhillings for every ſuch Refuſal.

*Who employs a Freeman without Certificate forfeits 10l.*

And whoſoever ſhall Employ any Free Perſon without a Certificate from the laſt Employer, of the Performance of his or their laſt Bargain or Contract, ſhall forfeit Ten pounds.

*None to Trade with Servant or Slave without conſent of the the owner, on forfeiture of treble value, and 10l.*

That no Perſon or Perſons preſume to Trade with any Servant or Slave without the Maſter or Miſtreſſes Conſent, on Penalty of forfeiting to the Maſter or Miſtreſs of ſuch Servant or Slave, treble the value of the things Traded for, bought, or Sold, and alſo Ten pounds Currant Money of this Iſland, to be recovered by ſuch Maſter or Miſtreſs by Action of Debt in any Court of Record; And all Contracts made with Servants or Slaves to be utterly void.

*All Contracts by Servants or Slaves void.*

*Servants that lay hands on their Employers,*

That if any Servant or Hired Labourer ſhall lay violent Hands upon his or her Employer, Over-ſeer, or other Perſon put in Authority over him or her, ſuch Servant or Labourer ſhall for ſuch Offence Serve his

his or her Employer without any Wages twelve Months, by Order of any Juſtice of the Peace on Conviction. *ſhall ſerve one Year without Wages.*

That by the like Order and Conviction any Overſeer or Artificer, Hired Labourer or Servant, that ſhall embezel, purloin, make away, or waſte any of his or her Employers Money, Goods or Chattels, not exceeding the value of Forty ſhillings, ſhall ſerve, or make Satisfaction, according to the Diſcretion of any one of His Majeſties Juſtices of the Peace; and if above the value of forty ſhillings, to ſerve two Years by the like Order without any Wages, and be further liable, in caſe that Time will not ſatisfie; and if any ſuch Perſon as aforeſaid ſhall embezel, purloin, or make away any Money, Goods or Chattels of any others than their Maſters, Miſtreſſes, or Employers, they ſhall incur the ſame Penalty, and ſerve the Party injured as aforeſaid, after their Time expired with their Maſters or Miſtreſſes. *Servants that ſhall purloin, under 40 s. ſhall ſerve at diſcretion, if above 40 s. 2 years and be further liable. If they purloin from others then their owners they ſhall ſerve after their time expired.*

And be it further Enacted by Authority aforeſaid, That if any Freeman of this Iſland ſhall at any time hereafter beget a Woman-Servant with Child, he ſhall (upon due Proof thereof made, which Proof ſhall be by the Oath of the ſaid Woman, as in other Caſes of Baſtardy) give good Security to ſave the Pariſh harmleſs; and as a further Puniſhment for his Offence, and for and towards Satisfaction of the Maſter or Miſtreſs of ſuch Servant, ſhall forfeit and pay unto the ſaid Maſter and Miſtreſs the full ſum of Twenty pounds currant Money of this Iſland, and ſhall likewiſe provide for the Maintenance of the ſaid Servant and Child, and in caſe of failure herein, ſhall ſerve the Maſter or Miſtreſs of ſuch Servant, double the time that ſhe had to ſerve at the time of the Offence committed, or ſhall procure one in his or their ſtead, that ſhall be obliged ſo to do. And in caſe one Servant ſhall beget another with Child, then the Man-Servant ſhall, after the Expiration of his Term, ſerve the Maſter or Miſtreſs of the Woman-Servant, double the time ſhe had to ſerve, at the time of the Offence committed. *A Free-man that gets a Woman-Servant with Child, ſhall ſave the Pariſh harmleſs, and pay the owner 20 l. and maintain the Servant and Child, or ſhall ſerve the owner double the time of the Woman-Servant. If a Man-Servant get a Woman-Servant with Child.*

*If a Man-ſervant Marry without Conſent.*

That any Man-Servant Marrying without the Maſters or Miſtreſſes Conſent, ſhall ſerve two Years for ſuch Offence; but if any Free-man ſhall Marry a Servant, he ſhall be liable to pay the Maſter or Miſtreſs Twenty pounds, and ſhe ſhall be free.

*If a Free-man Marry a Servant.*

*Suits between Servants and Maſters to be heard by two Juſtices.*

That all Suits between Servants and their Maſters or Miſtreſſes relating to their Freedom, ſhall be heard and determined by any two Juſtices of the Peace without any Appeal; and if any Servants abſent themſelves from their Maſters or Miſtreſſes Service without Leave, or a Ticket from their Maſter, Miſtreſs, or Over-ſeer, ſhall for every ſuch Days Abſence, ſerve one Week, and ſo in proportion for a longer or ſhorter time, the whole Puniſhment not to exceed Three Years.

*Servants that abſent themſelves, how they ſhall ſerve.*

*None to turn away a ſick Servant,*

That if any Perſon ſhall turn away any Sick or Infirm Servant, under pretence of Freedom, or otherwiſe, and ſuch Servant ſhall die for want of Relief, or become Chargeable to any Pariſh, the Offender ſhall forfeit Twenty pounds of Currant Moneys of this Iſland, to the Uſe of the Pariſh where ſuch Death or Charges ſhall happen, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record, unleſs the Party offending ſhall pay the ſame, and alſo receive the ſaid Servant, if Living, and him to maintain during the whole time the ſaid Servant had to ſerve. But if any Servant, through wilful Misbehaviour, ſhall happen to have the *French P O X*, *Yaws*, or any other Diſeaſe, broken Bones, Bruiſes, Sickneſs, Impediment, or Impriſonment, he or ſhe ſhall ſerve their Maſters or Miſtreſſes double the Time thereby neglected, and alſo for all Charges occaſioned by reaſon thereof, at Ten ſhillings *per* Month, after their time by Indenture or otherwiſe be expired; and alſo Maſters or Miſtreſſes of Servants, who ſhall receive unjuſt Moleſtation by complaints or Suits of Law, ſhall have the ſame Remedy for their Expences and Loſs of Time.

*the Penalty 20l. to the Pariſh.*

*Servants that get ſickneſs by Misbehaviour ſhall ſerve double the time, and ſo ſhall thoſe who trouble their Maſters with unjuſt Complaints.*

*No Servant ſhall be Whipt Naked.*

That no Servant be Whipt Naked without Order of a Juſtice of Peace, upon Penalty of Five pounds, to be Recovered by the Party Injured by Action of Debt

in

in any Court of Record. And whoſoever ſhall not give to each White Servant Weekly, four pounds of good Fleſh, or four pounds of good Fiſh, together with ſuch convenient Plantation Proviſion, as may be ſufficient, ſhall forfeit to the Party Injured Ten ſhillings for each Offence. And whoſoever ſhall not Yearly give to each Servant three Shirts, three pair of Drawers, three pair of Shooes, three pair of Stockings, and one Hat or Cap, and to the Woman proportionably, ſhall forfeit to the Party Injured forty ſhillings.

*Servants allowance weekly,*

*the Penalty 10s.*

*Their allowance yearly.*

*the Penalty 40s.*

That no Maſter, Miſtreſs, or Over-ſeer ſhall cauſe or ſuffer any Chriſtian Servant to be Buried or Interred, until the Body of ſuch Servants ſhall be viewed by a Juſtice of the Peace, Conſtable, or Tything-man, or by two ſuch Neighbours, as the ſaid Juſtice, Conſtable, or Tything-man ſhall chooſe and appoint, on Penalty of Twenty pounds currant Money of this Iſland, unleſs ſuch Perſon died Ten Miles from the Dwelling of a Juſtice, Conſtable, or Tything-man, and hath been viewed by two of the next Neighbours, and in default of Neighbours, by two of the ſame Family, or that the ſaid Juſtice, Conſtable, Tything-man, or Neighbours have not within Six Hours after Notice given, come to view the Dead Body; and whoſoever upon Notice given, and Requeſt made to view ſuch Dead, ſhall not within four Hours after ſuch Notice repair to the view, or on the view finding any ſuſpicious Tokens of the Bodies unlawful Death, ſhall not forthwith give Notice to the Coroner, or in Default of a Coroner of that Pariſh, to the next Juſtice of the Peace, ſhall forfeit Ten pounds, which Juſtice, in ſuch Caſes, is hereby empowered to act as a Coroner.

*No Servant to be buried until viewed,*

*on Penalty of 20l.*

*unleſs they die 10 Miles from a Juſtice, &c.*

*Thoſe that refuſe to view or give notice to the Coroner, &c. ſhall forfeit 10l.*

That whoſoever ſhall entertain a Servant, knowing the ſame to be ſo, ſhall forfeit for every Day and Night after the firſt, five pounds; and not knowing him to be a Servant, Twenty ſhillings for every Day and Night after the firſt, ſo that the whole exceed not treble the value of the Servants time remaining to be ſerved with the Maſter or Miſtreſs. *Provided*, that this Clauſe extend not to Servants, by contract made in

*He that entertains a Servant forfeits every night 5l.*

*If againſt knowledg 20s. each night,*

*not to extend to Servants by contract made in this Iſland, &c.*

in this Iſland, but ſuch as are atteſted by a Juſtice of the Peace, nor to ſuch as entertain any as bring a Certificate of their Freedom, atteſted under the Name of a Juſtice of Peace, though the ſame be falſe and forged, or for any other Perſon whoſe Name the bringer perſonateth, but ſuch forger, falſifier, perſonater, or bringer, and every one of them ſhall be ſet in the Pillory, and loſe his Ears on Conviction thereof in the Supream Court of Judicature: But whoſoever ſhall entertain a Servant any time, if the ſaid Servant ſhall be Drunk, Trade or Game during the ſaid Time, ſhall forfeit the Sum of Twenty ſhillings, the one half to the Pariſh where the Offence ſhall be committed, and the other half to the Informer, to be levyed by a Warrant from any Juſtice of the Peace. And alſo if a Servant or Hired Labourer ſhall be guilty of hiding or entertaining any Perſon's Servant or Slave, he ſhall forfeit one Years ſervice to the Maſter or Miſtreſs of ſuch Servant or Slave, or receive Thirty Nine Laſhes on the Naked Back at the Election of the Party Injured, to be ordered by any Juſtice of the Peace to any Conſtable in the Precincts.

*Forgers of Contracts to be ſet in the Pillory.*

*He that entertains a Servant that is Drunk, &c. forfeits 20s. one half to the Pariſh, one half to the Informer.*

*A Servant that hides anothers Servant or Slave ſhall ſerve one year,*

*or be whipt 39 laſhes.*

That no Perſon ſhall Ride, Load, or Carry on his Employers Horſes, Cattle, Carts, and Carriages (or willingly ſuffer the ſame to be done) any Goods or thing whatſoever, other then the Maſters or Miſtreſſes, without ſuch Maſter or Miſtreſſes Conſent, on Penalty of Three Months Service for each and every ſuch Default.

*None ſhall Ride, Load, or Carry on his Employers Carriages, on Penalty of three Months-ſervice*

And all Conſtables and Tything-men are to be diligent in Apprehending and Searching for Run-aways, on Penalty of Twenty pounds for every Neglect, and upon the Apprehending of Run-aways, if the Maſter or Miſtreſs be known, the Servant ſhall be carryed to the Maſters or Miſtreſſes neareſt home, on Penalty of Forty ſhillings; if not known, to the next Common Gaol, and the bringer to receive of Maſter, Miſtreſs, or Gaoler, Eight pence *per* Mile, ſo as the whole exceed not Forty ſhillings, which ſaid Gaoler is hereby impowered and commanded to receive ſuch Run-

*Conſtables to Apprehend Run-aways,*

*and how to diſpoſe of them,*

*the bringer to receive 8 d. per Mile,*

*which the Gaoler is to pay.*

away

Run-away or Run-aways, and to pay unto the bringer Eight pence *per* Mile as aforeſaid, for every ſuch Run-away ſo brought to him, on Penalty of Forty ſhillings; and that it ſhall and may be Lawful for the Marſhal to detain and keep in Cuſtody the Bodies of all ſuch Run-aways ſo brought unto him, until the Maſter or Miſtreſs of them, or their Aſſigns ſhall pay unto him the full Sum of what he hath ſo paid for them, with Two ſhillings ſix pence *per* pound for laying out the Money, and ſo proportionably, and alſo ſix pence for every Twenty four Hours the ſaid Run-away hath been in his Cuſtody; and if the ſaid Marſhal ſhall ſuffer any Run-away ſo brought to him to eſcape, before he be duly delivered to his Maſter or Miſtreſs, or his or her Aſſigns, that then the ſaid Marſhal ſhall pay unto the Maſter or Miſtreſs of the ſaid Run-away, ſo much as he ſhall be Condemned in by the Verdict of a Jury at Common Law; alſo any one may take up any ſuſpected Perſons, and carry him or her to any Juſtice to be Examined.

*and to keep them till he is reimburſt,*

*with 2 s. 6 d. per pound for laying out the Money, &c.*

*but if he lets them eſcape to pay the damage;*

*any may take up ſuſpected perſons.*

That the Captain, or any other Commiſſion-Officer, ſhall at the Head of every their reſpective Company and Troop, Publiſh, or cauſe to be Publiſhed this preſent Act once every Twelve Months, under the Penalty of Five pounds.

*Every Captain to publiſh this Act once every Year on Penalty of 5 l.*

*Provided alſo*, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be Recovered, and how Diſpoſed of, be one Moyety to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and Contingent Charges thereof; the other to the Informer, to be Recovered by Action of Debt, (if not exceeding Forty ſhillings) as all Penalties of Service, before any Juſtice of the Peace, and if above Forty ſhillings, and not for Service, in any Court of Record within this Iſland wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

*The Fines and Penalties in this Act to be, one half to the King, one half to the Informer; how to be recovered.*

*But within two Years.* And be it further provided, That no Perſon or Perſons ſhall be ſued, moleſted, or troubled for any Fine or Forfeiture againſt this preſent Act, unleſs the Party ſo Offending ſhall be ſued or impleaded for the ſame within two Years at the moſt after the ſaid Offence ſhall be committed.

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# An ACT

## *For the High-ways.*

FOR the better amending and keeping clear the Common High-ways, and known broad Paths within this Iſland, leading to Church and Market, and for laying out New High-ways, and turning Old High-ways, where it ſhall be needful, be it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that the Veſtry of each Pariſh, or the Major part of them, ſhall, on every third *Monday* in *January* before Noon, at their Pariſh Church, or other Convenient place, chooſe four or more Free-holders, each ſeized of at leaſt Thirty Acres Free-hold in Right of himſelf or Wife, to be Surveyors for the Year enſuing; if the Veſtry neglects, each Perſon abſent or negligent ſhall forfeit Forty ſhillings, and the Juſtices at their next Seſſions being informed thereof, ſhall appoint four or more ſuch Surveyors as aforeſaid, every Perſon ſo Choſen or Appointed ſhall within Ten Days (due Notice being given him by the Clerk of the Veſtry) procure himſelf to be Sworn before ſome Juſtice in the ſaid Pariſh, Diligently and Faithfully to perform the ſaid Office for the Year enſuing, and give a juſt Account to the Juſtices and Veſtry (if required) of what he ſhall receive, pay, or do, by virtue of his Office, on Penalty of Ten pounds *Sterling*.

*The Veſtry to chooſe four Surveyors,*

*every third* Monday *in* January,

*and if they neglect they ſhall forfeit* 40 s. *each man,*

*and the Juſtices ſhall appoint Surveyors, who ſhall procure themſelves to be Sworn,*

*and give a juſt Account,*

*on Penalty of* 10 l.

That

That the Surveyor being Sworn as aforeſaid, ſhall within ſixteen Days after their having viewed and conſidered the High-ways and Bridges, inform the Juſtices and Veſtry of the Defects, Wants, and Alterations needful in the ſame, to the end (as they are hereby empowered) the ſaid Juſtices and Veſtry may lay a Tax of ſuch Money, Labour, or other things, as to them ſhall ſeem convenient and neceſſary, which if the Juſtices and Veſtry ſhall not do before the laſt day of *February* in each Year, then the ſaid Surveyor ſhall make ſuch Tax in Writing, which being Confirmed by any two Juſtices in the ſaid Pariſh, ſhall ſtand good till ſome Complaint be made at the Quarter-Seſſions in that Pariſh, and the Juſtices then and there to confirm or alter the ſame without Appeal from thence.

*And ſhall in 16 days Inform of the wants in the High-ways,*

*that the Juſtices, &c. may lay a Tax,*

*before the laſt day of* February.

That the High-ways be ſixty foot wide in ſtanding Wood, forty foot where the Wood is only on one ſide, and twenty four foot in open Ground, and that the Surveyors have Power to cut down, dig up or remove as well all ſorts of Trees, Buſhes, Prickle, Fences, Rails, Gates, or Incloſures, or other thing or things, as may any ways ſtreighten, hurt, hinder, or incommode the High-ways, as alſo to dig for Stone or Gravel, Clay, Marl, Sand or Earth in any Land not Planted or Incloſed, as Yard or Garden to a Houſe, or to Preſs any Cart, Carriage, Workman, or other thing fit to be employed in the High-ways for ſuch Reaſonable ſatisfaction to the Parties concerned, as ſuch Surveyor can agree for, and in caſe of Diſagreement, ſuch as the next, or any Juſtice in the Pariſh ſhall appoint. *Provided* Nevertheleſs, that where Gates are, or ſhall be erected, of at leaſt Ten foot between Poſt and Poſt, or the High-way ſtreightned by Incloſure on both ſides, but the way ſo well kept by Cauſey-way or otherwiſe, that two Carriages may meet and paſs each other, and the Ground as firm as is neceſſary, then the ſaid Surveyors ſhall forbear to pull down or remove ſuch Gates or Fences, any thing herein ſeeming to the contrary notwithſtanding. But if any Preſon ſhall again erect, or cauſe any Nuſance, in the High-ways, which was by the Sur-

*The breadth of the High-ways,*

*the Surveyors Power;*

*Giving ſatisfaction as he can agree, or the Juſtice appoint.*

*where the Surveyors ſhall not pull down Gates.*

*They that cauſe Nuſance ſhall forfeit* 5 l.

Surveyor removed, for ſuch Offence he or they ſhall forfeit Five Pounds.

*Where Paths or Roads are wanting*

And in Caſe where a New Path or Road is wanting, or where Old Ways may, with more Conveniency be turned or altered, or where to ſome Plantation or Plantations no High-ways are yet laid out, to lead them into the High Roads which go towards the Market or Church, or to any convenient Harbour or Landing-place, fitting for receiving a Shoar or Shipping off any Goods, upon Notice thereof given to any Juſtice of the Peace, he ſhall on requeſt iſſue his Warrant to the next Conſtable in the ſaid Pariſh to Summon a Jury to meet at ſome convenient place and Day, therein to be mentioned, to view and lay out, or alter ſuch Paths or Roads, which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that according to the beſt of their Skills and Judgments, and with moſt Conveniency to the Publick, and leaſt Prejudice or Damage to any particular Perſon, they will lay out ſuch Way, which having done, the Surveyor is to make Return thereof to the Juſtices at the next Quarter-Seſſions of the Pariſh, where the ſame Way is, as well under his own, as the Hand of the Jurors, by whoſe Oath the ſame is laid out, to the end the ſame may be there Filed, or Recorded, and after known for a Publick High-way. And if the ſaid Surveyor ſhall neglect his Duty therein, he ſhall forfeit Twenty pounds. And be it further Enacted, That every Veſtry with conſent of the Juſtices, may agree for two Years with particular Perſons for their Parts and Proportion of the Ways by them to be cleared, as alſo with the Surveyors what part of the Pariſh they ſhall look after, and ſuch Agreements ſhall diſcharge the arties from other Duties, than what is agreed for; as alſo the Surveyor from looking after any other part than what is allotted him; and ſuch Juſtices and Veſtry-Men are to Record all their doings touching the Ways in the Veſtry-Book: which Record in all places ſhall be deemed good Evidence.

*a Jury to lay out Paths,*

*or Alter them,*

*with moſt Conveniency and leaſt Prejudice;*

*of which the Surveyor is to make return,*

*that it may be recorded,*

*on Penalty of 20l.*

*The Veſtry may agree with Perſons and Surveyors,*

*which they are to record.*

And

And the ſaid Surveyors may reſpectively iſſue their Warrants to the Conſtable or Tything-men to warn in Workers, or to levy Money according to the Tax or Rate made as aforeſaid, and whoſoever ſhall fail to ſend in his proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay three ſhillings *per* day upon Conviction, to be Recovered before any Juſtice of the Peace by the Surveyor.

*The Surveyors may iſſue out Warrants, to warn in Workmen or levy 3 s. per day for defaults.*

And if any Juſtice neglect his Duty touching the Premiſſes or any part thereof, he ſhall forfeit Ten pounds, and every Veſtry-man, Surveyor, Conſtable, Tything-man, Juror, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five pounds for each Offence.

*If the Juſtice neglects to forfeit 10 l. and others 5 l.*

All which ſaid Forfeitures ſhall be to the Uſe of the High-ways, and if not exceeding Forty ſhillings, to be Recovered by Action of Debt before any Juſtice of the Peace, if above Forty ſhillings, in any Court of Record, where no Eſſoign, Protection, or Wager of Law ſhall be allowed.

*to the uſe of the High-ways*

*how to be recovered.*

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# An ACT

## *Appointing the Prices of Meat.*

BE it Enacted and Ordained by Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that no Perſon or Perſons upon any pretence whatſoever ſhall preſume to ask, demand, and receive for freſh Beef, Mutton, or Goat, any more, greater or higher rate or price; than hereafter is mentioned, *viz.* For freſh Beef or Goat four pence *per* pound, and Mutton ſix pence, to be weighed without the Heads, Entrails, or Feet, and that the Sewet be Sold at no higher Rates than the Meats aforeſaid, under Penalty of forfeiting Twenty pounds currant Money of this Iſland, for every time they ſhall take, ask, or receive any higher price. and if any Per-

*None to take greater prices for Meat then,*

*here Mentioned,*

*on Penalty of 20 l.*

*Nor refuſe to ſell ſo,*

*on Penalty of 20 l.*

ſon or Perſons ſhall refuſe to ſell any Beef, Mutton, or Goat by weight, he or they for every ſuch Offence ſhall forfeit Twenty pounds currant Money of this Iſland.

*He that ſhall deſtroy a Turtoiſe Neſt,*

*ſhall forfeit 40 s. or be Whipt.*

And be it further Enacted by the Authority aforeſaid, that any Perſon whatſoever that ſhall deſtroy any Turtle Neſts, or take away any of the Eggs thereof upon any Bay or place within this Iſland, where the Turtle ſhall lay, ſhall forfeit forty ſhillings currant Money of this Iſland, or receive ſo many Laſhes on the bare Back, as any Juſtice ſhall Order, not exceeding Nine and Thirty for every ſuch Offence.

*One third of the Money to the King,*

*one third to the Pariſh,*

*one third to the Informer.*

The one third part of all the aforeſaid Penal Sums of Money ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, one Third to the Church-wardens for the Uſe of the Pariſh, the other Third to the Informer, to be Recovered in any Court of Record within this Iſland by Bill, Plaint or Information, in which no Eſſoign, Wager of Law, or Protection ſhall be allowed.

## An ACT

### *Againſt Blaſphemy, and for preventing Diſorders in Ale-Houſes, Taverns, and Victualling-Houſes.*

*None ſhall have Licenſes,*

*but ſuch as bring Certificates,*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is Enacted and Ordained by the Authority of the ſame, That no Perſon or Perſons whatſoever in this Iſland be enabled to have and receive any Licenſe or Licenſes from the Governour for the time being to Retail any ſtrong Liquors, unleſs they bring Yearly Certificates under the Hands of two of the Juſtices of the Peace living in the ſame

ſame Precincts, where the ſame Perſon keeps, or intends to ſet up his Houſe of Entertainment, and have alſo given good Security in the Secretaries Office of One Hundred pounds that he ſhall ſuffer no Diſorders to be committed in his ſaid Houſe, or any thing there done contrary to the Laws of *England*, or of this Iſland, and that no Perſons whatſoever preſume to ſell Rum or Rum-punch or any other Mixture of Rum without Licenſe firſt obtained from the Juſtices in Seſſions, and Security given to the Clerk of the Peace of the ſaid Precincts, under the Penalty of Forty ſhillings for every ſuch Offence.

*and have given good ſecurity of* 100l. *to keep good orders.*

*None to ſell Rum without Licenſe,*

*on Penalty of* 40s.

*Provided* always, and it is hereby further Enacted and Ordained, that whatſoever Perſon ſo Licenſed as aforeſaid, ſhall Entertain or Receive any one in their Houſes, to Tipple or Drink in the time of *Divine Worſhip* or Service, ſhall forfeit Twenty ſhillings for every ſuch Offence, and the Perſon or Perſons there ſo found, ſhall pay each of them five ſhillings, both which Forfeitures ſhall be levyed by Diſtreſs, by Warrant from any Juſtice of the Peace within this Iſland, and whoſoever ſhall by Publick and open Profaneneſs or Blaſphemy Diſhonour Almighty God, and be thereof duly Convicted in the Supream Court of Judicature, ſhall be Fined Twenty pounds Currant Money of this Iſland, or more, at the Diſcretion of the Court for every ſuch Offence, and that ſuch as are either Servants or not worth ſo much, ſhall be lyable to ſuch Corporal Puniſhment, as the Judges ſhall think meet, loſs of Life and Limb only excepted.

*Nor entertain any to Drink at Divine Service time, on Penalty of* 20s *and the Drinkers* 5s.

*Blaſphemers or Profaners ſhall be fin'd* 20l. *or more, or be Puniſht.*

And it is further Enacted, That if any of the ſaid Perſons, ſo having received Licenſes as aforeſaid, ſhall keep or ſuffer any Common Gaming in their Houſes, they ſhall forfeit Ten pounds Currant Money of this Iſland; and whoſoever ſhall by falſe Dice or other Fraud or Deceit win any Money or other things ſhall forfeit treble the value thereof, being Convicted by Verdict, Confeſſion, or otherwiſe, and that no Sum exceeding forty ſhillings won at any Game, or betting on the ſide of any, ſhall be recoverable, and all Bonds, Con-

*Licenſed People that ſuffer Gaming ſhall forfeit* 10l.

*and they that win by falſe Dice or Fraud ſhall forfeit treble the value.*

*Nor ſhall any Sum above* 40s. *won at Gaming be recovered,*

*and all bonds, &c. for above that Sum void.* Contracts, and Securities whatſoever for above the Sum aforeſaid, won as aforeſaid, ſhall be void. *Provided* nevertheleſs, that nothing herein contained ſhall be deemed or conſtrued to hinder or abridge any maker of Rum, but that by himſelf, Servants, or others, he may vend and ſell the ſame pure and unmixt, any thing in this Act to the contrary in any wiſe notwithſtanding.

*The maker of Rum may ſell it.*

*Provided* alſo, That the aforeſaid Penalties mentioned in this Act, and not declared where they ſhall be Recovered, or how diſpoſed of, be one half to Our Soveraign Lord the King, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, the other to the Informer, who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoign, Protection, Injunction, or Wager of Law ſhall be allowed.

*The Penalties to be, one half to the King,*

*one half to the Informer.*

## An ACT

### *Impowering Juſtices of the Peace to decide Differences not exeeeding Forty ſhillings.*

*WHereas*, many inconveniencies may ariſe unto the Inhabitants of this Iſland by being vexed and troubled with Suits at Law for ſmall and trivial Injuries, Debts, and Treſpaſſes, wherein the accuſtomary Fees and Charges uſually exceed the Original Debt and Damages; for prevention whereof, Be it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that all manner of Debts, Treſpaſſes, and other Matters, not exceeding the value of Forty ſhillings, wherein the Tithes of Lands are not concerned, ſhall and may be heard, adjudged, and determined by any of His Majeſties Juſtices of the Peace of this Iſland, within their reſpective Precincts without Appeal, which ſaid Juſtices are hereby required

*Debts not exceeding 40 s.*

*ſhall be determined by the Juſtices,*

*without Appeal,*

quired upon Complaint made, to grant a Warrant or Summons againſt the Perſon complained of, thereby requiring him to Appear and Anſwer the ſaid Complaint, and in caſe of Non-appearance, to iſſue out a Warrant of Contempt directed to the Conſtable to bring the Contemner before him, as well to Anſwer the ſaid Contempt, as the Plaintiffs Action, and may if he ſee Cauſe, fine the Contemner, provided the ſaid fine exceed not Ten ſhillings, to be for the Uſe of the Pariſh where ſuch Offence ſhall be committed, and after Judgment given in either Caſe, may grant a Warrant of Diſtreſs directed to the Conſtable, to levy the ſaid Fine, Debt, Damages and Charges upon the Defendants Goods and Chattels, who by vertue thereof ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Defendant, and for want of ſuch Diſtreſs, to take the Defendants Body into Cuſtody, and him carry and convey to the Common Gaol of the Precincts, there to remain till he ſhall have ſatisfied the ſaid Debt and Charges, and it ſhall be Lawful for the Juſtice of Peace to receive for each Warrant One ſhilling and Three pence, and no more, and for the Conſtable for ſerving of each Warrant the like Sum, together with ſix pence for each Mile he ſhall be compelled to Travel in Execution of the Premiſſes, provided the whole exceed not five ſhillings; and the Juſtice is hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Ten ſhillings, the one half to be for the Poor of the Pariſh, and the other half to the Informer, to be Recovered as aforeſaid.

*for which the Juſtices ſhall grant Proceſs,*

*of Contempt, and fine the Contemner,*

*not above 10s. and that to the Pariſh.*

*And levy Damage and Charges,*

*or put the Body in Cuſtody,*

*till ſatisfaction be made.*

*The fee to the Juſtice, &c.*

*The Juſtice to keep a Record on Penalty of 10s. one half to the Poor, one half to the Informer.*

And whereas the Uncertainty of the Expiration of Laws heretofore made for the better Government of this His Majeſties Iſland may hereafter create ſome Doubts and Diſputes concerning the Validity of the ſeveral Judgments made and given by the ſeveral Judges and Juſtices of the Peace within this Iſland, as alſo all the Proceedings of the Military Officers upon the ſame; for prevention whereof, Be it further Enacted and Ordained by the Authority aforeſaid, that all and every Judgment and Judgments made or given by

*What appointed to be done by this Act is Ratified, alſo all done by the Military Officers,*

*Judges and Juſtices by any of the former Acts,*

*is hereby Confirmed and they ſaved harmleſs,*

*and may bring this Act in Evidence.*

any of the Judges or Juſtices of the Peace within this His Majeſties Iſland upon or by vertue of any of the aforeſaid Laws, and all other Proceedings whatſoever, and all and every Act or Acts, thing or things done or acted thereupon are hereby Ratified, Confirmed and Adjudged Valid and Lawful to all intents and purpoſes whatſoever, and all and every Judge and Judges of the ſeveral Courts, the ſeveral Juſtices of the Peace, the Military Officers, and all other Perſons whatſoever within this His Majeſties Iſland, that have any ways Acted by or under the Authority of the aforeſaid Laws, or any of them, are hereby for ever ſaved and kept harmleſs, and indempnified againſt all manner of Perſons whatſoever; and if any Perſon ſhall be ſued or any ways moleſted by reaſon thereof, it ſhall be Lawful for him or them ſo ſued or moleſted to plead the general Iſſue, and give this Act in Evidence, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

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# An ACT

## *Rating Liquors Sold by Retail.*

*Rates of Madera Wine, Brandy,*

*forfeiture 40s.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that from and after Publication hereof, all Vintners and Tavernkeepers, or any other Perſon or Perſons who do or ſhall Utter or Sell by way of Retail *Madera* Wines or Brandy, and ſhall preſume by any means directly or indirectly to take or receive above the Rates hereafter mentioned for the aforeſaid Liquors, *viz.* For *Madera* Wine fifteen pence the Quart, and Brandy two ſhillings and ſix pence the Quart, and ſo proportionably for a greater or leſſer Quantity, ſhall forfeit the Sum of Forty ſhillings for every ſuch Offence, to be levyed by Warrant from any of His Majeſties Juſtices of the Peace

of

of the Precincts, where the Fault is committed, on the Goods and Chattles of any Perſon or Perſons ſo Offending, the one half of which Forfeiture ſhall be to the Church-Wardens for the Uſe of the Pariſh, the other to the Informer, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*one half to the Pariſh, one half to the Informer.*

## An ACT

### *For the Reſtraining and Puniſhing Privateers and Pirates.*

WHereas nothing can more contribute to his Sacred Majeſties Honour, than that ſuch Articles as are Concluded and agreed on in all Treaties of Peace, ſhould by all His Majeſties Subjects according to their Duty, be moſt inviolably preſerved and kept in and over all His Majeſties Dominions and Territories, and whereas not only againſt ſuch Treaties of Peace made by His Majeſty with his Allies, but alſo contrary to His Majeſties Royal Proclamation, ſeveral of his Subjects have and do continually go off from this His Majeſties Iſland of *Jamaica* into Foreign Princes Services, and Sail under their Commiſſions, contrary to their Duty and good Allegiance, and by fair means cannot be reſtrained from ſo doing.

*Preamble.*

Be it therefore Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that from and after Publication hereof, it ſhall be Felony for any Perſon, which now doth, or within four Years laſt paſt heretofore hath, or hereafter ſhall Inhabit or belong to this Iſland, to ſerve in *America* in an Hoſtile manner, under any Foreign Prince, State, or Potentate, or any Employed under any of them againſt any other Foreign Prince, State, or Potentate, in Amity with His Majeſty of *Great Britain*, without ſpecial Licenſe for ſo doing, under the Hand and Seal of the Gover-

*Felony for any that belongs to the Iſland, to ſerve in America againſt any Prince in Amity with his Majeſty, without Licenſe.*

nour

nour or Commander in Chief of this Iſland for the time being, and that all and every ſuch Offender, or Offenders contrary to the true intent of this Act, being thereof duly Convicted in His Majeſties Supream Court of Judicature within this Iſland, to which Court Authority is hereby given to hear and to determine the ſame, as other Caſes of Felony, ſhall ſuffer pains of Death without Benefit of the Clergy.

*And ſhall ſuffer death.*

*This Act not to extend to thoſe abroad.*

*Provided* nevertheleſs, that this Act, nor any thing therein contained, ſhall extend to any Perſon or Perſons, which now are, or have been in the Service or Employment of any Forreign Prince, State, or Potentate whatſoever, that ſhall return to this Iſland, and leave and deſert ſuch Service and Employment before the firſt day of *January* next enſuing, rendring themſelves to the Governour or Commander in Chief for the time being, and give him ſuch Security as he ſhall appoint for their future good behaviour, and alſo that they ſhall not depart this Iſland without the Governours Ticket.

*that return by the firſt day of* January *next,*

*and give ſecurity for their good behaviour.*

And for the better and more ſpeedy Execution of Juſtice upon ſuch, who having Committed Treaſon, Piracies, Felonies, and other Offences upon the Sea, ſhall be Apprehended in, or brought Priſoners to this Iſland, Be it further Enacted by the Authority aforeſaid, That all Treaſons, Felonies, Piracies, Robberies, Murthers, or Confederacies committed, or that hereafter ſhall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Juriſdiction, ſhall be Inquired, Tryed, Heard, Determined, and Judged within this Iſland, in ſuch like form, as if ſuch Offence had been Committed in and upon the Land, and to that end and purpoſe Commiſſions ſhall be had under the Kings Great Seal of this Iſland, directed to the Judge or Judges of the Admiralty of this Iſland for the time being, and to ſuch other ſubſtantial Perſons, as by His Majeſties Governour or Commander in Chief of this Iſland, for the time being, ſhall be named or appointed, which ſaid Commiſſioners, to ſuch a *Quorum* of them, as by ſuch Commiſſion

*All Felonies done on the Sea ſhall be Tryed on the Land,*

*as if the Offence had been done there.*

*To that end Commiſſions ſhall be directed, as here provided,*

miſſion ſhall be thereunto Authorized, ſhall have full Power to do all things in and about the Inquiry, Hearing, Determining, Adjudging, and Puniſhing of any of the Crimes and Offences aforeſaid, as any Commiſſioners to be appointed by Commiſſion under the Great Seal of *England*, by vertue of a Statute made in the Twenty Eighth Year of the Reign of King *Henry* the Eighth, are Impowered to do and execute within the Kingdom of *England*, and that the ſaid Offenders, which are, or ſhall be Apprehended in, or brought Priſoners to this Iſland, ſhall be liable to ſuch Order, Proceſs, Judgments, and Execution, by vertue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by virtue of any Commiſſion grounded upon the ſaid Statute. *and proceedings accordingly.*

And all Tryals heretofore had againſt ſuch Criminal or Criminals before any Judge or Judges by virtue of ſuch Commiſſion or Authority at any time heretofore granted, and all Proceedings thereupon, are hereby Ratified, Confirmed, and adjudged Lawful, and all ſuch Judges, with all and every the Inferiour Officers, that have Acted thereby, are hereby indempnified to all intents and purpoſes whatſoever, and in caſe they, or any of them, ſhall at any time hereafter be ſued, vexed, moleſted or troubled for any ſuch their proceedings as aforeſaid, he or they ſo ſued, vexed, or moleſted, ſhall plead the General Iſſue and give this Act in Evidence, any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding. *All former proceedings of the like kind ratified,* *and all Officers Indempnified,* *and may give this Act in Evidence.*

Be it further Enacted by the Authority aforeſaid, That all and every Perſon or Perſons, that ſhall any way knowingly Entertain, Harbour, Conceal, Trade or hold any Correſpondence, by Letter or otherwiſe, with any Perſon or Perſons, that ſhall be deemed or adjudged to be Privateers, Pirates, or other Offenders within the Conſtruction of this Act, and that ſhall not readily endeavour to the beſt of his or their Power to Apprehend or cauſe to be Apprehended ſuch Offender or *Thoſe that hold Correſpondence with ſuch Perſons,*

*ſhall be Proſecuted as Acceſſaries.*

Offenders, ſhall be liable to be proſecuted, as Acceſſaries and Confederates, and to ſuffer ſuch Pains and Penalties, as in ſuch Caſe by Law is provided. And for the better and more effectual Execution of this Act,

*The Commiſſion-Officers are to raiſe Men,*

Be it further Enacted by the Authority aforeſaid, That all Commiſſion-Officers, in their ſeveral Precincts within this Iſland, are hereby required and empowered upon his or their knowledge or Notice given,

*on notice of Privateers or Pirates,*

That any Privateers, Pirates, or other Perſons ſuſpected to be upon any unlawful Deſign, are in any place within their reſpective Precincts, to raiſe and levy

*to Seize and Apprehend them,*

ſuch a Number of well Armed Men, as he or they ſhall think needful for the Seizing, Apprehending and carrying to Gaol all and every ſuch Perſon or Perſons; and in caſe of any Reſiſtance or Refuſal to yield Obe-

*and if any Reſiſt to kill and deſtroy them,*

dience to His Majeſties Authority, it ſhall be Lawful to kill or deſtroy ſuch Perſon or Perſons, and all and every Perſon or Perſons that ſhall Oppoſe or Reſiſt, by

*and they who Reſiſt ſhall be deemed Felons,*

Striking or Firing upon any of the Commanded Parties, ſhall be deemed, taken, and adjudged as Felons without Benefit of the Clergy, and every ſuch Officer that ſhall omit or neglect his Duty herein ſhall forfeit

*and every Officer that ſhall neglect his Duty ſhall forfeit 50l.*

Fifty pounds currant Money of this Iſland for every ſuch Offence, to be Recovered in any of His Majeſties Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law,

*one half to the King,*

or Protection ſhall be allowed; one Moyety thereof to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the Contingent Charges

*one half to the Informer,*

thereof, and the other Moyety to the Informer; and

*and they that refuſe to repair with their Arms*

all and every Perſon or Perſons, that upon Orders given him or them ſhall refuſe to repair immediately with his or their Arms well fixed, and Ammunition, to ſuch place or places as ſhall be appointed by the ſaid

*ſhall be fined by a Regimental Court Marſhal.*

Officer, and not readily Obey his Commands in the Execution of the Premiſſes, ſhall be liable to ſuch Fine or Corporeal Puniſhment, as by a Regimental Court Marſhal ſhall be thought fit.

*Provided*

*Provided* further, that the Governours Aſſent to the paſſing of this or any other Act, ſhall not extend, or be Conſtrued to extend to the determining of this preſent Seſſions of the Aſſembly. *The Governours Aſſent ſhall not determin the Seſſions.*

## An ACT

### *Aſcertaining the Quit-Rents and manner of Receipt thereof.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That a Patent Sealed under the Great Seal of this Iſland, and Recorded in the Office of Inrolments Eſtabliſhed in this Iſland ſhall Evidence the Patentee or Patentees juſt Right and Title to all and every parcel of Lands, Houſe or Houſes, Tenements or other things in the ſaid Patent granted, and be a good Bar to the Right and Title of His Majeſty, his Heirs and Succeſſors: And to the End His Majeſties Grants may not be hindred, delayed, or obſtructed, the Keeper of the Seal, or Chancellor for the time being, ſhall and is hereby obliged the next *Tueſday* before each Grand Court to cauſe all ſuch Grants and Patents, as are in Office, to be Sealed at St. *Jago de la Vega*, and all Inferiour Officers, who are concerned in drawing and paſſing the ſame, are then and there likewiſe to be ready to do their Duty.

*A Patent Sealed and Enrolled, ſhall give a juſt Title to Land or Houſes, and bar his Majeſty, &c. the Keeper of the Seal ſhall Seal all Patents next* Tueſday *before each grand Court, and all Officers to be ready.*

And foraſmuch as all Titles of Land are derived from his Majeſty, and the Land hath been laid out, and Patents made by his Majeſties Officers, in which many Errors or Miſtakes may have happened, which according to the ſtrict Rules of Law, might make many Grants void in all, or in part. Be it therefore Enacted by the Authority aforeſaid, That all Lands granted, or hereafter to be granted by His Majeſty, his Heirs or Succeſſors, upon Surveys made or to be made, be for ever good to the

*Though Errors may be in Patents, yet all Lands ſo granted ſhall be good,*

*which are comprized within the Survey,*

the Patentee, and to thoſe to whom the Right of the Patentee ſhall come, for all Lands comprized within the Survey or Bounds, any Miſnomer, Misbounding or Miſtaking of Quantity, or other Error notwithſtanding, againſt His Majeſty, his Heirs and Succeſſors, or any other Perſon or Perſons claiming under him or them for ever, and that all ſuch Grants ſhall be taken as ſtrongly againſt His Majeſty, his Heirs and Succeſſors, as the Grants of any other Perſon or Perſons ſhould or ought to be taken againſt him or them, or his or their Heirs or Aſſigns. *Provided neverthelefs*, and be it further Enacted by the Authority aforeſaid,

*but where the King &c. are aggrieved by Miſtakes, a re-ſurvey ſhall be made,*

That where either His Majeſty or the Patentee are aggrieved by Miſtake in Quantity, a re-ſurvey ſhall be made, by one Surveyor indifferently Sworn between the King and Patentee, or who claimeth in his Right before any of His Majeſties Juſtices of the Peace, upon

*and a confirmation made,*

which re-ſurvey a Confirmation of the former Grant ſhall iſſue under the Seal of this Iſland reciting the Er-

*reſerving the juſt Rents,*

ror, and reſerving for the future the ſame Rent mentioned in the ſaid Grant according to the juſt Quantity found by ſuch re-ſurvey, for which Confirmation the

*for which the Chancellor ſhall have 10s. the Clerk of the Patents 8 s.*

Chancellor ſhall receive Ten ſhillings, and the Clerk of the Patents Eight ſhillings, and no more, to be paid as all other Charges of the ſaid re-ſurvey by the Party

*but no Retroſpect for the Rent.*

requiring the ſame, but no Retroſpect ſhall be had to what Rent ought to have been paid, be the Quantity more or leſs, any thing in this Act contained to the contrary in any wiſe notwithſtanding.

*The Run and mark't Lines,*

And be it further Enacted by the Authority aforeſaid, That if any Diſpute ſhall ever ariſe upon any Survey, wherein the Survey or Plot given into the Patent-Office ſhall vary from the real Run and marked

*to be the bounds of the Land.*

Lines, in all ſuch Diſputes the Judges before whom the ſame ſhall happen, ſhall adjudge the real Run and marked Lines, which are proved before them to be Run and Marked, to be the bounds of the Lands granted, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*And*

*And Whereas* there have been uncertainties and Diſputes in the payment of His Majeſtes Quit-Rents reſerved in the Patents formerly granted, by reaſon of the words, Manured and Planted; and whereas his ſaid Majeſty hath been and now is Graciouſly pleaſed, that whatſoever ſhall ariſe from the Quit-Rents, ſhall be applyed towards the ſupport of the Government, and defraying the Contingent Charges of this Iſland; in Conſideration whereof, and to aſcertain the ſame, Be it Enacted and Ordained by the Authority aforeſaid, That every Parcel or Parcels of Land of what Nature and Quality ſoever granted and Patented before the Twenty fifth Day of *June*, One Thouſand Six Hundred Seventy and One, ſhall for Arrears and growing Rents pay for every Thirty Acres Annually the Sum of one ſhilling, and ſo proportionably for every Parcel under one hundred Acres, and for every hundred Acres two ſhillings ſix pence, and proportionably for a greater Quantity, and for all Lands of what Quality ſoever from the aforeſaid time to the Twelfth Day of *March* One Thouſand Six Hundred Seventy and Four, ſhall pay one half peny *per* Acre, and ſo proportionably for a greater quantity; and for Foot-Land, one half peny *per* Foot for two ſides of the Square added together, and ſo proportionably for a greater or leſſer quantity, as a certain eſtabliſhed Quit-Rent and Acknowledgment to His Majeſty, his Heirs and Succeſſors for ever, any Law, Cuſtom, or Uſage, or any thing contained in the ſaid Patents to the contrary notwithſtanding.

*Quit-Rents applyed towards the ſupport of the Government,*

*Land granted before the 25th. of* June 1671.

*Shall pay for every* 30 *Acres* 1 s.

*And every* 100 *Acres* 2 s. 6 d.

*And from that time to the* 12th. *of* March 1674. *One half peny* per *Acre.*

*Foot-Land one half peny* per *Foot for two ſides of the Square,*

*for ever.*

And for the more ſpeedy and eaſie Collecting of the ſaid Quit-Rents, Be it further Enacted by the Authority aforeſaid, That the Receiver of the Quit-Rents, or his Lawful Deputy ſhall twice every Year (to ſay) after each Feaſt of St. *Michael* the Arch-Angel, and of the Annunciation of the Bleſſed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catharines*, and in the Town of *Port Royal* during the ſpace of one Month at each place, and then and there to receive the Quit-Rents from

*The Receiver at* Michaelmas *and our* Lady-day,

*ſhall keep his* Office *at St.* Jago,

*and at* Port-Royal, *one Month in each place,*

*and there attend, from 8 to 11 and from 2 to 5.* from the Perſons concerned, which ſaid Office he ſhall attend from the Hours of Eight to Eleven before Noon, and from the Hours of Two to Five in the Afternoon, and upon Receipt of His Majeſties Quit-Rents, thereof to Acquit and Diſcharge all Perſons, *on Penalty of 5 l.* on the Penalty of Five pounds *Sterling*, which ſaid Penalty ſhall be, the one half to His Majeſty, his Heirs *One half to His Majeſty.* and Succeſſors for and towards the Support of the *one half to the Informer.* Government of this Iſland and Contingent Charges thereof, and the other half to the Informer, to be Recovered in any Court of Record within this Iſland, wherein no Wager of Law, Eſſoign, Protection or Injunction ſhall be allowed.

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# An ACT

## *For preventing Damages in Plantations, Preſerving of Cattle, and Regulating Hunting.*

*All Plantations on Savanns ways, &c.* BE it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That all Plantations bounding on *Savanna's*, High-ways, Watering-places, and all *ſhall be Fenced,* Paſtures made out of Wood-land, ſhall make ſufficient Fences, which ſufficient Fences ſhall be judged by *to be Judg'd by Oaths* Oath of Three Free-holders before any one of His *of three Men,* Majeſties Juſtices of the Peace, which ſaid Free-holders ſhall be Choſen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Juſtice of the Peace, and if either of them do not appear, or refuſe to make their Choice, that then in ſuch Caſe the ſaid Juſtice ſhall name two, and what *and the Damage done ſhall be paid for double,* Damage ſhall be done by any Stock in any Plantation ſo Fenced as aforeſaid, the ſaid Damage to be Appraiſed upon the Oath of the ſaid Free-holders, and the Owners of the ſaid Stock ſhall pay double the Damage ſo committed, or done by their Cattle, Proof being *and Recovered before a Juſtice if not above 40 s.* made appear by the Oath of one or more, to be Recovered

covered before any Juſtice of the Peace, if not exceeding Forty ſhillings, if above, in any Court of Record by Action of Debt. *if more at Common Law.*

And it is further Enacted and Provided by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall kill or deſtroy any Cattle, Horſe, Mare, Mule, or Aſinego, but he, ſhe, or they who ſhall kill or deſtroy any of the afore-mentioned Stock, ſhall forfeit for each they ſhall kill or deſtroy the Sum of Fifteen pounds currant Mony, to be Recovered by Action of Debt in any Court of Record within this Iſland by the Owner or Proprietor of the ſaid Beaſt. *None ſhall kill any Cattle, &c.* *on Penalty of 15 l.* *To be Recovered at Law.*

And it is further Enacted by the Authority aforeſaid, that all Owners of Neat Cattle ſhall keep one White Man at each reſpective Pen, and at all Pens whereunto belongs above Two hundred Cattle, the Owner of ſuch Pen ſhall keep two White Men, upon pain of forfeiting Ten Pounds for every White Man, that ſhall be wanting, as before, for the ſpace of Three Months, to be recovered in any Court of Record by Action of Debt, the one half to the Pariſh for the Uſe of the Poor, the other Moyety to the Informer, or him that ſues for the ſame. *There ſhall be one White Man at every Pen of Cattle, and where there is more then 200 head 2 White Men, on Penalty of 10 l.* *one half to the Pariſh, one half to the Informer.*

And it is further Enacted by the Authority aforeſaid, That all Perſons and Owners of Cattle, that ſhall fail to Pen their Cattle once in three Nights, at the leaſt, that all ſuch Cattle doing Damages ſhall pay double the Damage, to be Recovered as aforeſaid. *They that Pen not their Cattle in 3 Nights, ſhall pay double the Damage done by ſuch Cattle.*

And it is further Enacted by the Authority aforeſaid, That all Strays of any ſort of Cattle, where ever they ſhall be found and taken up, ſhall belong to the Proprietor of the Ground, where they are accuſtomed to feed, *Provided* the ſaid Proprietor cauſe the ſaid Stray or Strays to be Cryed by the Common Cryer three diſtinct Court Days in the Court of the ſaid Precinct, deſcribing all the Marks of the ſaid Stray, with the Age and Kind; and further that the ſaid Proprietors do turn looſe again the ſaid Stray, to continue in the ſame feeding Ground where the ſame was accuſtomed to feed, and tying a Withe about the Neck of the ſaid *All Strays ſhall belong to the Proprietor where they are found,* *but muſt be Cryed 3 days,* *and continue in the ſame ground one Year, with a Withe about the Neck,*

ſaid Stray (which ſhall be a Common Mark for Strays) and in that manner to continue one whole Year from the firſt taking up or Penning of the ſame. *Provided* further, that if in the mean time no Perſon ſhall Challenge or Claim the ſame, that then the property of all ſuch Strays remain to the Proprietor of the Ground, as before, they giving Satisfaction for taking up the ſaid Stray. *Provided always*, That this Act extend not to any Ear-marked or Burnt-marked Beaſt, Horſe, Mare, Colt, or any other ſort of Cattle, but all ſuch ſhall belong to the Owners or Proprietors of the ſame, if Claimed at any time after the expiration of the Year.

*And if not Claimed in that time, ſhall remain to the Proprietor.*

*This not to extend to Ear or Burnt Mark't Cattle.*

It is further Enacted by the Authority aforeſaid, That the Clerks of each reſpective Courts of Record in this Iſland are hereby empowered to make Entry and Toll any ſort of Cattle, that ſhall be Sold from one Perſon to another, taking as near deſcription of the ſeveral Marks, Natural or otherwiſe, as can be, and vouched by two ſufficient Perſons known by the Clerk, which Entry or Toll ſhall be good againſt any former Sale or Bargain, or any other Title whatſoever, except in all ſuch Caſes where the Provoſt Marſhal or his Deputy hath levied the ſame by Execution, and the Clerk of the ſaid Court ſhall take Twelve pence for each ſuch Entry and for keeping a Record of the ſame, and no more.

*The Clerks of the Court ſhall Toll all Cattle,*

*which ſhall be good againſt any former Sale, except where the Marſhal has levyed by Execution, and the Clerk to have 1 s.*

And it is further Enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall preſume to carry any Fire, or ſmoak Tobacco in any *Savanna* or Plantation, or High-ways whatſoever, under the Penalty of Ten ſhillings for each time they ſhall ſo offend, and be further liable to pay all Damages that ſhall accrue to any Perſon or Perſons by means of the ſame, to be Recovered (if not exceeding Forty ſhillings) before any Juſtice of the Peace, if exceeding Forty ſhillings, by Action of Debt in any Court of Record within this Iſland: and if the Perſon ſo offending, be not able to make ſatisfaction, then the ſaid Perſon ſhall be whipped for every ſuch offence at

*None ſhall carry Fire or ſmoak Tobacco,*

*on Penalty of 10 s.*

*And liable to Damages,*

*or to be Whipt if not of Ability.*

at the Diſcretion of any one Juſtice of the Peace. *Provided*, That this Clauſe extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*, yet to be liable as before, if thereby they injure or burn any other Perſons *Savannas*, or Plantations, and that all Penalties for carrying of Fire, ſhall belong to the Perſon that ſues for the ſame.

*Owners of Land may carry Fire, but lyable to Damage if they injure others. Penalties belong to thoſe that ſue.*

And whereas it is found by experience that ſeveral Common Drivers of Cattle, or Horſe-catchers do frequently Ride and drive Gangs of Mares and other Cattle from off their own feeding Ground or Paſture, whereby thoſe that are big, caſt their Young, and Young ones are often ſeparated from their Dams, and do likewiſe often deface the Marks of ſuch Cattle and Horſes, or new Mark them for themſelves or others with wrong Marks, to the great Damage of all ſuch Proprietors; for prevention whereof, Be it further Enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall hereafter preſume to drive or ride in any *Savanna* as a Common Horſe-catcher after any Horſes or Mares without having firſt given Security for their Honeſty, and obtained leave from the Proprietor or Proprietors of ſuch *Savanna's* or the Major part of them, under the Penalty of Twenty pounds, to be Recovered as aforeſaid; one third part whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges of the ſame; one third part to the Proprietor or Proprietors of ſuch *Savanna's* where the Offence ſhall be committed; the remaining third to the Informer, or he that ſhall ſue for the ſame.

*Ill Cuſtom of Horſe-drivers, to Prevent which none ſhall Ride or Drive as a Common driver, till they have given ſecurity, on Penalty of 20l. One third to the King, one third to the Proprietors of the Land, one third to the Informer.*

And it is further Enacted by the Authority aforeſaid, That if any ſuch Common Driver or Horſe-catcher, or any other Perſon employed by or for him or them, ſhall preſume to Sell or Barter any Horſe, Mare, or Colt, or other Cattle, but ſuch as he ſhall bring two ſufficient Free-holders of the place where he doth Inhabit, or other good ſufficient Evidence to vouch before the Clerk of ſome Court of Record within the

*No Common Driver ſhall ſell Cattle, till he bring Vouchers,*

Precincts where they ſhall be Sold or Bartered as aforeſaid, that he bred them, or otherwiſe came Lawfully poſſeſſed of them, under the Penalty of Fifty pounds, to be Recovered and Diſpoſed of as aforeſaid. And whoſoever ſhall Buy, Barter, or Bargain with any ſuch known Horſe-Catcher or Driver, for any Cattle or Horſes without the ſame be firſt vouched as aforeſaid, he, ſhe, or they ſo Offending ſhall for every ſuch Offence forfeit and pay the Sum of Twenty pounds, to be Recovered and Diſpoſed of as aforeſaid.

*on Penalty of 50l. as aforeſaid,*

*And whoever ſhall ſo Buy without Vouching*

*ſhall forfeit 20l. to be diſpoſed of as aforeſaid.*

And it is further Enacted by the Authority aforeſaid, That if any Driver or Horſe-catcher ſhall at any time hereafter fraudulently or deſignedly put any falſe Burnt Mark, Ear-Mark, or any other Marks, or deface any old Mark, he or they ſhall for ſuch Offence be guilty of Felony.

*Horſe-catchers that fraudulently deface marks, ſhall be guilty of Felony.*

It is further Enacted by the Authority aforeſaid, That no Perſon or Perſons that are Keepers or Owners of Goats, ſhall ſuffer their Goats to feed in any Perſons Land except their own, and if any do ſuffer the ſame to feed in any Perſons Land, it ſhall be deemed Treſpaſs, and the Owner of the Land ſhall Recover in any Court of Record full Coſts of Suit in the ſaid Action, beſides what Damage ſhall be given by the Jury.

*None that keep Goats ſhall let them feed on other Mans Land;*

*if they do it is Treſpaſs.*

Be it further Enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall be capable of Hunting with any Gang of Dogs in this Iſland, that is not a Planter in it, and hath not at leaſt five Acres of Land Planted, and that any Perſon that ſhall preſume to Hunt any Gang of Dogs within this Iſland, being not Qualified as aforeſaid, ſhall forfeit for every ſuch Offence his Gang of Dogs, and the Sum of Ten pounds *Sterling*, to be Recovered in any Court of Record within this Iſland, by Bill, Plaint, or Information, the one Moyety or half part of all ſuch Forfeitures ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for the Support of the Government and Contingent Charges thereof, and the other Moyety ſhall be to the Informer, or any Perſon that ſhall

*None ſhall Hunt but they that have 5 Acres of Land Planted;*

*thoſe not ſo Qualified ſhall forfeit their Dogs and 10l.*

*one half to the King,*

*one half to the Informer.*

ſhall ſue for the ſame. And it ſhall not be Lawful for any Planter or Planters in this Iſland to own any Hunting Gang of Dogs which ſhall not properly belong to themſelves, their Mates in Planting, or Hunted by their Servants, under the Penalty of Ten pounds *Sterling* for each time he or they ſhall ſo offend, to be Recovered in manner and form aforeſaid, and to be diſpoſed of as aforeſaid.

*None ſhall own any Gang of Dogs that belong to another, on Penalty of 10 l. to be as aforeſaid.*

And it is further Enacted and Ordained by the Authority aforeſaid, That if any Hunting Gang of Dogs ſhall kill or maim any Tame Stock belonging to any Planter or Perſon whatſoever, or do him or them any Prejudice or Damage, the Party ſo Damnified, if the Damage amount to not above Forty ſhillings, Satisfaction for the ſame ſhall be Recovered by Warrant from any Juſtice of the Peace, but if it amount to more than Forty ſhillings, the Perſon or Perſons ſo injured ſhall ſue for the ſame at Common Law. And if any Perſon ſhall kill or maim any manner of Tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwiſe, and ſhall not forthwith diſcover the ſame to the next Juſtice or Conſtable, to the end the Damage may be known and Recovered, as aforeſaid, ſuch Offender killing, maiming. or injuring any ſuch Tame Stock, and not diſcovering it as aforeſaid, ſhall pay Five pounds for every Default, beſides Damages to be Recovered by the Party Injured in any Court of Record.

*If a Gang of Dogs Injure any Tame Stock, the Injured Party ſhall Recover by a Juſtice, if 40 s. If more by Law; and they that Injure Tame Stock, and do not diſcover the ſame, ſhall pay 5 l. and Damages to the Party Injured.*

It is further Enacted and Ordained by the Authority aforeſaid, That no Perſon whatſoever ſhall Hunt any Gang of Dogs within four Miles of any Crawl or Settlement (except in his own Land, or leave from the Proprietor of the ſame, upon pain of Ten pounds *Sterling*, and that no Perſon or Perſons whatſoever ſhall ſet any Snare or Engine in any place whatſoever (his Planted Ground only excepted) under Penalty of Forty ſhillings for every time any Perſon ſhall ſo Offend in either of the Premiſſes, to be Recovered as aforeſaid, and diſpoſed of as aforeſaid, and to pay all other Damages that ſhall accrue by the ſame.

*None ſhall Hunt within 4 Miles of any Settlement, except in his own Land or with leave, on Penalty of 10 l. None ſhall ſet Snares except in his own Planted Ground, on Penalty of 40 s. to be diſpoſed as aforeſaid.*

An

# An ACT

## *Securing the Purchaſers of* Thomas Bun's *Land upon* Port-Royal.

Thomas Bun took up Land,

and appointed an Attorney to ſell it,

which he did do to two Purchaſers,

but the Letter of Attorney being not Recorded, cauſed Diſputes.

WHereas, one *Thomas Bun*, late of this Iſland, in the Fourteenth Year of his Majeſties Reign, Patented a certain Parcel of Land on *Port-Royal*, and after that, Conſtituted and Appointed one *Martin Vanolphin* his Attorney, thereby giving him full Power and Authority for him, and in his Name, to Bargain and Sell all and ſingular the Lands and Tenements of the ſaid *Thomas Bun*, and that he the ſaid *Martin Vanolphin*, in purſuance of the aforeſaid Authority, did for a Valuable Conſideration, well and truly paid to the aforeſaid *Thomas Bun*, Bargain and Sell the aforeſaid Parcel of Land unto *William Parker*, Eſquire, and *Robert Swanley*, and that a Moyety of the ſaid Land was Sold by the ſaid *Swanley* to one *Thomas Tothill*, Deceaſed, whoſe Eſtate real was, in purſuance of an Act of this Iſland, expoſed to Sale, and Sold for and towards the Satisfaction of the juſt Debts of the ſaid *Thomas Tothill* to Sir *Charles Modyford*, Baronet, and the whole Purchaſed as aforeſaid, Sold by the ſaid Sir *Charles Modyford*, *William Parker*, Eſq; to *Edward Yeomans*, Eſq; for a Valuable Conſideration, and the aforeſaid Letter of Attorney, through the Ignorance and Neglect of thoſe Times, not Proved and Recorded, as the Law of this Iſland now requires; To the intent therefore that the ſeveral Purchaſers may for ever hereafter be quieted in their ſeveral Purchaſes, and ſecured in their Titles and Covenants, and a ſpeedy Improvement made by Building thereon; Be it therefore Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That the Sales made as aofreſaid by

by *Martin Vanolphin* to *William Parker*, Eſquire, and *Robert Swanly*, and the Sale or Sales of them and either of them unto any other Perſons or Perſons whatſoever, are and ſhall be deemed and adjudged good and effectual in the Law to all Intents, Conſtructions, and Purpoſes whatſoever, as if the ſaid *Thomas Bun* himſelf had, by his own Deed, or Bargain and Sale, Actually and Really Sold and Conveyed the ſame, and all and ſingular the Land Sold and Conveyed, as aforeſaid, be and remain to the Heirs and Aſſigns of ſuch Purchaſer or Purchaſers, their Heirs and Aſſigns for ever, as ſhall Claim by, from and under the Title or Purchaſe of the ſaid Sir *Charles Modyford*, Baronet, and the ſaid *William Parker*, Eſq; any Law or Cuſtom, Uſage or Pretence of Right whatſoever to the contrary in any wiſe notwithſtanding.

*Therefore the Sale made by the Attorney to the firſt Purchaſers, and by them afterwards to others,*

*is hereby Confirmed,*

*to them and their Heirs.*

# An ACT

## *Encouraging the Importation of White Servants.*

FOr*aſmuch* as it is provided in an Act of this Countrey, Intituled, An Act for Regulating Servants, for the ſtrengthening and better Defence of this His Majeſties Iſland, every Maſter and Owner of Slaves ſhall have ſuch quantity of White Servants proportionable to the Number of Slaves as is therein directed, and as by the ſaid Act doth more plainly appear; and to the intent alſo all due Encouragement may be given Merchants, Maſters, and Importers of White Servants to bring the ſame, and may not then be diſcouraged, nor their Servants lie upon their Hands for want of Buyers,

*For Encouragement to Importers of Servants.*

Be it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That no Merchant, Maſter, or Importer of White Servants, ſhall preſume to Sell any White Servant

*None ſhall Sell any White Servants till they have been 10 days Imported,*

*on Penalty of 10l.* Servant or Servants, before they have been Ten Days Imported, under the Penalty of Ten pounds for every ſuch Servant ſo Sold, the one Moyety to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, the other Moyety to the Informer, to be Recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed. *Provided* nevertheleſs, that for the Ten Days after Importation of any ſuch White Servants, as aboveſaid, the Factor or Seller ſhall pay the Maſter for their Diet aboard the Ship; nor ſhall they be removed by the ſaid Maſter from thence before the Ten Days be paſt, under the Penalty aforeſaid, to be Recovered and Diſpoſed of as aforeſaid.

*one half to the King,*

*one half to the Informer.*

*And for that 10 days the Importers ſhall pay the Maſter of the Ship for their Diet; nor ſhall the Maſter of the Ship remove them, on Penalty aforeſaid.*

*The Maſter of a Ship that Imports 50 Men Servants,* And be it likewiſe Enacted by the Authority aforeſaid, That whatſoever Maſter or Commander of any Ship or Veſſel, that ſhall bring in or Import into this Iſland to the Number of fifty White Male Servants, and due Proof upon Oath being thereof made before the Naval Officer (who is hereby empowered to adminiſter the ſame) ſhall for that Voyage be altogether freed and exempted from paying any Port-charges for the ſaid Ship or Veſſel, wherein the ſaid Servants ſhall be Imported, any other Cuſtom or Law to the contrary notwithſtanding.

*on due Proof thereof,*

*ſhall pay no Port-charges.*

*Debts made for Servants ſhall be determined by the Juſtices.* And be it further Enacted by the Authority aforeſaid, That any Debt or Debts Contracted for any Servant or Servants Sold within this Iſland, ſhall or may be Recovered by Warrant from any Juſtice of the Peace in the ſame manner as is provided in the Act empowering Juſtices of the Peace to decide Differences not exceeding Forty ſhillings, any Law, Cuſtom, or Uſage heretofore to the contrary notwithſtanding.

*After the 25. of March 1683.* And it is alſo hereby Enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of *March* next enſuing, no Perſon or Perſons whatſoever, employing themſelves in the Trades or Exerciſes

ercises of Coopers or Porters within this Island shall use any Negro Slave or Slaves in their said Trades or Occupations, under the Penalty of Twenty pounds for every such Offence, to be Recovered and Disposed of as aforesaid.

*None shall employ Negroes for Coopers or Porters, on Penalty of* 20l.

*Provided*, also, That nothing be herein Construed to prohibit any Master or Owner of any Sugar-Work within this Island from making Cask at their respective Plantations, or other convenient place, as heretofore, any thing in this Act to the contrary notwithstanding.

*Except Masters of Sugar-Works.*

## An ACT

### *For Registring of Deeds and Patents.*

BE it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That a Deed in due form of Law made and within Three Months after the Date thereof acknowledged by the Party or Parties that grant the same, or proved by the Oath of one sufficient Witness or more before the Governour, or some one of the Judges of the Courts of this Island, and the same Recorded at length in the Office of Enrolments, which said Office shall always be kept at St. *Jago de la Vega* within the said three Months, shall be Valid to pass the same without Livery, Seizin, Attornment, or any other Act or Ceremony in the Law whatsoever, and that no Deed hereafter made without such Acknowledgment or Proof and Enrolment shall be sufficient to pass away any Free-hold or Inheritance or to Grant any Lease for above the space of three Years.

*A Deed made in form;*

*and acknowledged in* 3 *Months and Recovered,*

*shall pass any Estate without other Ceremony,*

*but without such Ceremony not for above* 3 *Years.*

*Provided* nevertheless, That any Old Deeds or Conveyances heretofore made for Lands or Houses, and omitted to be Recorded upon being Acknowledged or Proved, and at any time after the making hereof,

*But Old Deeds not recovered heretofore,*

Recorded

*on Recording ſhall be Valid,*

Recorded in the ſaid Office of Enrolments, ſhall be effectually Valid and of force, but if it ſhall happen that any ſecond Bill of Sale or Conveyance for a Valuable Conſideration be made by the ſaid Vendor or his Heirs for the ſame Land or Houſes, or any part thereof, and the ſame be duly Executed and Recorded, then it is hereby declared, that the laſt Vendee ſhall have and enjoy the ſaid Land or Houſes, any thing in this Proviſo or otherwiſe to the contrary notwithſtanding. And if any Vendee hath omitted to execute and inroll his Deed within the time as aforeſaid, but ſhall at any time afterwards have done the ſame, no ſecond Sale being made by the firſt Vendor, his Heirs or Executors, the ſame ſhall nevertheleſs be good to the ſaid Vendee, his Heirs and Executors, and a perpetual Bar againſt the firſt Vendor, his Heirs and Executors, any thing in this Act or any other to the contrary notwithſtanding.

*but a ſecond Bill of Sale Recorded before the firſt ſhall take place.*

*If the Vendee have omitted Inrolling, yet do it before a ſecond Sale of the Vendor,*

*it ſhall be good.*

And be it further Enacted by the Authority aforeſaid, That all Deeds and Conveyances granted and made out of this Iſland, and remitted hither, being Proved before the Governour or any of the Judges of the Courts of Common-Pleas as aforeſaid, and all thoſe Deeds and Conveyances where any Granter or Conveyancer ſhall Perſonally appear in His Majeſties Court held before the Lord Mayor and Aldermen of the City of *London* for the time being, and ſhall then and there own and acknowledge ſuch Deed, Grant, or Conveyance to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayoralty of the ſaid City, and the ſame be Recorded in the aforeſaid Office within ſix Months of the Arrival of the Ship that brought the ſame, ſhall to all intents and purpoſes whatſoever be as Valid, as if the ſaid Deeds or Conveyances had been here Made, Acknowledged, Proved, and Recorded according to the form and time herein before appointed.

*Deeds made out of the Iſland,*

*and Deeds owned before the Lord Mayor of* London,

*and Recorded in 6 Months after Arrival,*

*ſhall be Valid.*

*Provided* nevertheleſs, That if any Perſon here Lawfully empowered, ſhall in purſuance of that Power, make Sale of any Lands or Free-hold to any Perſon whatſoever

whatſoever within this Iſland, and the Deeds thereof be duly Proved and Recorded according to the true meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the ſame Land or Free-hold or any part thereof be here produced, proved, and Recorded as aforeſaid, the ſaid Deed ſo made and paſſed here ſhall ſtand good and effectual in the Law to all intents and purpoſes whatſoever.

*But a Deed made in the Iſland for the ſame Land, ſhall take place before one made any where elſe.*

And it is hereby further Enacted and Ordained by the Authority aforeſaid, That any Mortgage of any Lands, Tenements, Real or Perſonal Eſtates whatſoever within this His Majeſties Iſland, having received full ſatisfaction and payment of all ſuch Sum and Sums of Money as are really due to him by ſuch Mortgage, ſhall at the Requeſt of the Mortgager, enter Satisfaction upon the Margent of ſuch Mortgage Recorded, or to be Recorded in the Office of Enrolments, which ſhall for ever hereafter diſcharge, defeat, and releaſe the ſame, and ſhall likewiſe perpetually Bar all Actions brought, or to be brought thereupon in any Court of Record within this Iſland, and if ſuch Mortgagee ſhall not within three Months after requeſt and tender made for his reaſonable Charges repair to the Office of Enrolments, and there make ſuch Acknowledgment as aforeſaid, he, ſhe, or they ſo refuſing ſhall for every ſuch Offence forfeit and pay unto the Party or Parties aggrieved the Sum of fifty pounds Currant Money of this Iſland, to be Recovered in any of His Majeſties Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, or Protection ſhall be allowed.

*A Mortgage being ſatisfied, at the requeſt of the Mortgagor, ſatisfaction ſhall be entred, which ſhall diſcharge it, and bar all Claims, and if the Mortgagor refuſe to make Acknowledgment, he ſhall forfeit 50l.*

And be it further Enacted and Ordained by the Authority aforeſaid, That it ſhall and may be Lawful for the Judges before whom ſuch Acknowledgment of Deeds or other Writings are and ſhall be made, to demand and receive for every Deed of the value of Twenty pounds or more, Ten ſhillings, and for every Deed under the value of Twenty pounds, Five ſhillings, and no more, under the Penalty of Twenty pounds, the one half to be to our Soveraign Lord the

*The Judges for Acknowledging Deeds of 20l. or more, ſhall take 10s. for thoſe under 20l. 5s. and no more, on Penalty of 20l.*

*One half to the King,* King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the Contingent Charges thereof, and the other half to the *one half to the Informer.* Informer, to be Recovered as aforeſaid.

*The Clerk of the Enrolments ſhall have* And be it further Enacted by the Authority aforeſaid, That the Clerk of the Enrolments ſhall and may take and receive for Enrolling and Copying an Ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance not exceeding the length of ſuch Patent, five ſhillings; for every Deed exceeding the length aforeſaid eight pence *per* ſheet, accounting Twenty Lines to a ſheet, and eight Words to a Line; for every Short Writing not exceeding the length aforeſaid, Twelve pence; for Recording every Plot, one ſhilling and three pence; for ſearching the Record, Twelve pence; and for Acknowledging Satisfaction in the Margent of a Mortgage recorded, one ſhilling and three pence, and no more, under the Penalty of Ten pounds to the Uſes, and to be Recovered as aforeſaid.

*for a Patent 5 s.*

*if longer 8 d. for each ſheet,*

*if ſhorter 1 s.*

*for a Plot 15 d.*

*ſearching the Record 1 s.*

*Satisfaction on a Mortgage 15 d. and no more, on Penalty of 10 l.*

*All Patents already granted ſhall be Enrolled in 6 Months,* And be it likewiſe Enacted by the Authority aforeſaid, That all Patents already granted and not Enrolled, ſhall be Enrolled in the Office of Enrolments within ſix Months, and all Patents hereafter to be granted ſhall be Enrolled within ſix Months after the Sealing ſuch Patents, which Enrolments, as likewiſe all ſuch as are already there Enrolled, ſhall be good and valid in the Law notwithſtanding any Clauſe inſerted in the ſaid Patents directing the contrary.

*and all to be granted in 6 Months after Sealing.*

*Improving Orphans Eſtates.* And whereas it is moſt manifeſt, That the Eſtates of ſeveral Orphans have been preſerved and vaſtly Improved by being, during their Minority, Leaſed out by their Guardians, and whereas it may be Diſputable whether ſuch Leaſes are Warranted by the Laws of *England*;

*Leaſes of Orphans Eſtates,* Be it therefore Enacted and Ordained by the Authority aforeſaid, That all Leaſes heretofore made or granted, or that hereafter ſhall be made or granted, of the Eſtate of any Orphan, by the reſpective Guardian, *not exceeding their Minority,* for any term of Years, not exceeding the Minority of

of ſuch reſpective Orphans, ſhall be good and valid in the Law, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. *ſhall be good.*

*Provided* always, That this Act or any thing therein contained, ſhall not extend to contradict or alter any Power given or to be given by the Parent to any Guardians, or to give liberty for the future to any Guardian to Leaſe out the Eſtate of any Heireſs for any longer Term or Time, than till ſhe ſhall compleat the Age of Fourteen Years. *So that it be not againſt the Will of the Parents nor of an Heireſs Eſtate till ſhe be above 14 Years old.*

Be it likewiſe Enacted and Ordained by the Authority aforeſaid, That the Clerk of the Enrolments, or whoſoever ſhall execute the ſaid Office for the time being, do find two ſufficient Sureties, with himſelf, to become bound to our Soveraign Lord the King, his Heirs and Succeſſors, in a Bond of the Penalty of Two Thouſand pounds for the true and faithful Execution of the ſaid Office, and for keeping of the ſame in the Town of St. *Jago de la Vega*, as is herein before declared, and not elſewhere, which ſaid Bond ſhall be Recorded in the Supream Court of Judicature within this Iſland, and be kept by the Chief Juſtice of the ſame for the time being, to be made uſe of according as is directed in an Act, Intituled, An Act Impowering the Secretary to take Security; and whoſoever after Publication hereof ſhall Officiate in the ſaid Office before he hath given ſuch Security as aforeſaid, he or they ſo Offending ſhall forfeit the Sum of Five Hundred pounds, to be recovered by Bill, Plaint, or Information in any of His Majeſties Courts of Record within this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed the Defendant; one Moyety whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, and the other Moyety to him or them that ſhall proſecute the ſame. *The Clerk of the Enrolments ſhall find Security, of 2000l. for the due Executing his Office, which Bond ſhall be kept by the Chief Juſtice, he that Acts before ſo doing ſhall forfeit 500l. one half to the King, one half to the proſecutor.*

An

# An ACT

## *For the Ferry between St.* Catharines *and St.* Andrews.

*Preamble.*

WHereas *William Parker*, of the Pariſh of St. *Andrews*, Eſquire, hath at his particular Charge found out and made a very Convenient Way between the Salt and Freſh River in the Pariſh of St. *Andrews* and St. *Catharines*, which will be of great Uſe and Advantage to the whole Iſland, in cauſing a more near and eaſie Correſpondence with the ſeveral Precincts, and whereas the ſaid *William Parker* hath likewiſe ſet up and erected a Ferry for the better Accommodation of the ſaid Paſſage, and whereas the ſame cannot be maintained without great and conſtant Charges, be it therefore Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That the ſaid *William Parker*, his Heirs and Aſſigns be by this Act Impowered and Authorized, for the ſpace and term of Fourteen Years from the making hereof, to ask, demand, ſue for, recover, and receive as a Duty and Toll for the Tranſporting of any Perſon over the ſaid Ferry, Seven pence half peny; for every Horſe and Man, fifteen pence; for every grown Beaſt, that hath no Rider, ſeven pence half peny, for every Sheep, Calf, or Hog, ſix pence; and that the ſaid *William Parker*, his Heirs and Aſſigns may and ſhall erect a Tavern or Victualling-Houſe near the ſaid Ferry, and ſhall not be compelled to renew or pay any Licenſe Money for the ſame. *Provided* always, That if the ſaid *William Parker* or his Aſſigns ſhall not finiſh and compleat the ſaid Way and Paſſage within Twelve Months from and after the making of this Act, and that in all places it be not leſs than eight Foot broad, and that the ſame be

*William Parker Eſq;*

*for 14 Years,*

*to take Toll for the Ferry,*

*for a Man 7 d. half peny; Horſe and Man 15 d. every Beaſt 7 d. half peny; ſmall Cattel 6 d.*

*and keep a Tavern without Licenſe;*

*but ſhall finiſh the way in one Year,*

*to be 8 foot broad,*

be always kept in good and ſufficient Repair, that the aforeſaid Limitation of the Rates, which ſhall be paid by virtue of this Act, or any Letters Patents granted for the ſame, ſhall ceaſe, determine, and be utterly void.

*and keep it in Repair,*

*elſe this grant ſhall be Void.*

And be it further Enacted and Ordained by the Authority aforeſaid, That no other Perſon whatſoever preſume to erect, maintain, or keep a Ferry or Raft over the ſame Rivers for the ſpace or term of Fourteen Years from and after the making hereof, under the Penalty of Five Hundred pounds Currant Money of this Iſland, the one half to be for the Uſe of our Soveraign Lord the King, for and towards the Support of the Government of this Iſland and the Contingent Charges thereof, the other half for the Uſe of the ſaid *William Parker*, his Heirs or Aſſigns, to be Recovered by Action of Debt, Bill, Plaint, or Information in His Majeſties Supream Court of Judicature within this His Majeſties Iſland, wherein no Protection, Eſſoign, Injunction or Wager of Law ſhall be allowed.

*None elſe ſhall keep a Ferry for 14 Years,*

*on Penalty of* 500 l.

*one half to the King,*

*one half to* William Parker, *Eſq;*

## An ACT

*Impowering the Church-Wardens of St.* Catherines *to receive Twelve pence* per *Tun, for all Goods made up in Cask that are Landed on, or Shipped from the Bridg at* Paſſage Fort *for maintaining and repairing the ſame.*

WHereas it is evident that the making and repairing the Bridg at *Paſſage Fort* hath been very chargeable to the Pariſh of St. *Catherines* conſidering the ſaid Bridge is for the publick Uſe of ſeveral Pariſhes, in reſpect whereof ſome care ought to be taken for eaſing the ſaid Pariſh of the great Charge they are at in maintaining the ſame, and that the ſeveral

*Preamble.*

Perſons that make uſe of the ſaid Bridge, ſhould proportionably pay towards the doing of it.

*All Goods in Cask,* *that paſs over the Bridg,* *ſhall pay* 1 s. *per Tun.*

Be it therefore Enacted by the Governour, Council and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That from and after the making hereof, all Goods whatſoever made up in Cask, and that are Landed either upon, or Shipped from the ſaid Bridge ſhall pay Twelve pence *per* Tun, and ſo proportionably for a greater or leſſer quantity.

*The Bridge ſhall be kept in Repair,* *on Penalty of* 10 l. *one half to the Informer, one half to the Poor.*

And it is Enacted by the Authority aforeſaid, That the Church-Wardens of St. *Catherines* for the time being ſhall take care that the Bridg be kept in ſufficient Repair, and in caſe of their Neglect therein, that then the aforeſaid Church-Wardens ſhall forfeit reſpectively Ten pounds, one half thereof to the Informer, and the other half to the Poor of the ſaid Pariſh to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

*The Church-wardens ſhall Appoint,* *Collectors for this Toll,* *and who refuſe to pay,* *their Goods may be ſtopt.*

And it is further Enacted and declared by the Authority aforeſaid, That the Church-Wardens of the ſaid Pariſh of St. *Catherines*, are hereby Empowered to Appoint ſuch Perſon or Perſons as they ſhall think fit for collecting the aforeſaid Duty, and to employ the ſame to the uſe and behoof of the aforeſaid Pariſh, and if any Perſon or Perſons ſhall refuſe to pay the aforeſaid Duty, it ſhall be lawful for ſuch Collector, as ſhall be appointed by the Church-Wardens aforeſaid, to detain or keep in his poſſeſſion the Goods of the Perſon or Perſons ſo refuſing, until he or they ſhall have ſatisfied the ſame, as it is before expreſſed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

An

# An ACT

## *For Confirmation of Pious, Charitable and Publick Gifts and Grants.*

TO the Intent that Pious, Charitable and publick Gifts and Grants, ſo neceſſary in new Colony's to be encouraged and made Good, may not be defeated, but may take Effect according to the True Intent and Meaning of the Donor or Donors, Deviſor or Deviſors, notwithſtanding any Incapacity in the Grantee or Deviſee, or thoſe to whoſe Uſe the ſame is granted or deviſed: *Preamble.*

Be it therefore Enacted and Ordained by the Governors, Council and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that for and during the Term and Time of Twenty years next enſuing, all Gifts, Grants, Conveyances, and Devices of any Houſes, Lands, Tenements, Rents, Goods or Chattels, to any Good, Pious, Charitable or Publick uſe or uſes, as for the maintenance of Lawful Miniſters, erecting or maintaining of Churches, Chappels, Schools, Univerſities, Colledges, or other places for Education of Youth, or maintenance of men of Learning, or any Alms-houſes or Hoſpitals, or any other uſes whatſoever, heretofore made and hereafter to be made within the time aforeſaid, be and are hereby for ever confirmed and made good, according to the true intent and meaning of the Donor or Donors, Grantor or Grantors, Deviſor or Deviſors, the Statute of Mortmain, or any other Statute, Law, Cuſtom, or Uſage, to the contrary notwithſtanding, *All Pious Gifts, given in 20 years next to come, ſhall be good for ever.*

Provided nevertheleſs, and it is hereby Enacted and Ordained that no Gifts, Grants or Deviſe to any Perſon or Perſons whatſoever for any Superſtitious uſe, or for maintenance of any Miniſter or Teacher whatſoever *Unleſs given to ſuperſtitious uſes,*

*or contrary to the allowance of the Church of* England

ſoever other then ſuch as are lawfully Ordained and Allowed of by the Church of *England*, be hereby confirmed and made good, any thing herein, or in any other Act ſeeming to the contrary in any wiſe notwithſtanding.

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# An ACT

## *Declaring it High Treaſon to counterfeit His Majeſties Broad Seal of this Iſland.*

*Preamble.*

FOr*aſmuch* as by the Laws of this Iſland no due and condign Puniſhment hath been heretofore provided for ſuch as ſhall falſify, forge or counterfeit his *Majeſties* Broad Seal of this Iſland, by reaſon whereof diverſe evil diſpoſed perſons may be emboldened to perpetrate and commit the ſaid Offence, to the diſhonour of His Majeſty, and the diſinheriting of many of His Majeſties good Subjects; for prevention whereof,

*To falſify the Broad Seal ſhall be High Treaſon.*

Be it Enacted and Ordained by the Governor, Councill and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that whoſoever ſhall at any time hereafter Falſify, Forge or Counterfeit His Majeſties Broad Seal of this Iſland, that every ſuch Offence ſhall be Deemed and Judged High Treaſon, and the Offender or Offenders therein, their Councellers, Ayders, Abetters, or Concealers being legally convicted thereof by the Oaths of two lawful and credible Witneſſes upon Trial or otherwiſe, then every ſuch Perſon and Perſons ſo Offending as aforeſaid ſhall be deem'd, declared and adjudged to be Traytors and ſhall ſuffer and have ſuch Pains, Penalties and Forfeitures, as in like Caſes is Ordained by the Laws and Statutes of His Majeſties Kingdom of *England*.

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# An ACT

## For Clearing of Rio Cobre above and below Caymana's.

WHereas the River called *Rio Cobre*, or the Town River that paſſeth by St. *Jago De La Vega* is for ſeveral Miles together about the *Caymana's* ſtopt up, and hath wholly loſt its old Channel by means of the extraordinary Floods, and by the abundance of Trees and great quantities of Rubbiſh that hath been fallen above the ſaid River, and upon other ſmall Rivers and Gullies that fall into the ſame, whereby ſeveral Plantations above and below the ſtop are upon ſmall Floods totally overflown, and the ſtop by the means aforeſaid daily encreaſeth, ſo that it is evident, that in a ſhort time, if no remedy be applyed, all the ſettlements and Sugar-works thereabouts will be altogether loſt, and what is good Manurable Land now will be turned into mere Bog and Moraſs, unfit to raiſe Cattle in, or convert to any other uſe, which will not only be a very great loſs to this Iſland in General, but an utter ruin to the ſetlers in particular, who have expended great Sums of Money in planting thereabouts; for prevention of ſo great and growing a miſchief, Be it Enacted therefore and Ordained by the Governour, Council & Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that the Governour or Commander in chief for the time being do iſſue out a Commiſſion, in the nature of a Commiſſion of ſewers under the Broad Seal of this Iſland, thereby conſtituting and appointing twelve good and ſufficient Freeholders ſuch as the Governour or Commander in chief as aforeſaid, with the major part of the Council ſhall think fit to nominate and chooſe out of the Pariſhes of St. *Catherines* and St. *Andrews*, whereof five ſhall be a *Quorum* and one of which five ſhall

*The River Cobre, having loſt its right Channel, by which ſeveral Plantations are injured, to prevent which, that a Commiſſion do Iſſue out, Appointing 12 Men, of St. Catherines and St. Andrews,*

be a Juſtice of the *Quorum*, thereby giving and granting unto them or any five or more of them, full power and Authority to aſſeſs, lay and receive a reaſonable Tax upon the Lands or Negroes, or upon both as to the ſaid Commiſſioners, or to any five or more of them, ſhall ſeem juſt and convenient, of all Perſons whatſoever, who have any Lands bounding any ways upon the ſaid River, or upon whoſoever ſhall receive Advantage by clearing the ſaid River, towards the clearing the Old Channel, or by turning the preſent Courſe of it ſome other way, as upon a due ſurvey of the premiſſes, ſhall ſeem moſt neceſſary, and which may be done with the leaſt Charge or prejudice to any Perſon, and that the limits of the ſaid Commiſſion to Tax be and extend upon all the Lands bounding on both ſides of the River, from the Plantation of *Hender Moleſworth* Eſq; commonly called *Cow-park*, unto the Mouth of the ſaid River where it falleth into the Sea. And be it further Enacted by the Authority aforeſaid, That every ſuch Perſon as ſhall be named a Commiſſioner in the ſaid Commiſſion, after he hath knowledg thereof, ſhall take his Corporal Oath to lay a reaſonable Tax upon all the Lands or *Negroes*, or upon both, as aforeſaid, and that he will to the beſt of his Skill and Knowledg execute the ſaid Commiſſion, which Oath ſhall be taken before the Governour or Commander in Chief, or before whom by the Kings Writ of *Dedimus Poteſtatem*, he ſhall appoint, or before the Juſtices of the Peace in the Quarter Seſſions of the Precincts, where any of the ſaid Commiſſioners ſhall reſide, and whoſoever of the ſaid Commiſſioners ſhall refuſe to take the ſaid Oath ſhall forfeit the Sum of Five pounds; And further, That whoſoever ſhall wilfully fell any Trees or caſt or ſuffer to be caſt the ſame, as alſo any Cane, Traſh or other Rubbiſh whatſoever, into the ſaid River, or into any other River or Gully that ſhall come into the ſame, whereby the ſaid ſtop ſhall be any wiſe increaſed, ſhall forfeit for every ſuch Offence the like Sum of Five pounds, both which forfeitures ſhall be one

*who ſhall lay a Tax,*

*on thoſe who bound on the River,*

*towards the clearing the Channel,*

*or altering its courſe,)*

*from Cow-park to the Rivers Mouth.*

*The Commiſſioners ſhall take an Oath,*

*juſtly to execute the Commiſſion,*

*or forfeit 5 l.*

*They that fell Trees or caſt Rubbiſh into the River,*

*ſhall forfeit 5 l.*

one third part to Our Soveraign Lord the King, His Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other two thirds to whomſoever ſhall ſue for the ſame, towards the Expence of Preventing the Overflowing of the ſaid River, or towards the cutting of a new Channel as aforeſaid, and that each of the ſaid Commiſſioners, that ſhall meet and ſit as aforeſaid, ſhall for each day they ſo ſit receive towards their Expence Five ſhillings *per Diem* out of the ſaid Moneys to be levied as aforeſaid.

*one third to the King,*

*two thirds to thoſe that ſue towards the charge.*

*The Commiſſioners that ſit ſhall have every day 5 s.*

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners unto whom the Commiſſion as aforeſaid ſhall be directed, or any Five or more of them by vertue of the ſaid Commiſſion, and of this preſent Act, ſhall have full power and Authority to See, Survey and View the ſaid Lands as do uſe to be o'reflown, or any part of them, and all the ſaid Lands and *Negroes* or their ſeveral Owners who poſſeſs any Lands or *Negroes* within the Bounds and Limits aforeſaid, to Tax, Rate, Aſſeſs and Charge with ſuch Sum and Sums of money, as well for the preſent clearing of the Old Channel of the ſaid River or for the making a new, if it ſhall be found neceſſary, as alſo for the keeping of it clear, after it ſhall be cleanſed, or turned another way, and that the ſaid Commiſſioners, or any Five or more of them, ſhall and may make and appoint diligent and able Surveyors, Collectors and Overſeers, and ſuch other Officers as they ſhall think fit to Survey and Overſee, and to Levy, Receive and Lay out the Money to be Levied and Expended in and about the premiſſes, and to do and execute whatſoever ſhall be needful and expedient to be done therein according to the directions and Orders, which ſhall from time to time be preſcribed by the ſaid Commiſſioners or any Five or more of them, and to allow them for their pains; what ſhall be thought reaſonable, and alſo that it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, by Warrant under their hands and Seal

*And ſhall View the Lands,*

*and*

*and ſhall Appoint Surveyors and other Officers,*

*to execute their directions,*

*and ſhall pay them,*

to

*They may also take Carts, Wains or Negroes,* to Command the taking of any Cart, Wain or Negroes of any Perſon within the Bounds and Limits of the ſaid Commiſſion to help towards the clearing and removing the Premiſſes, or toward the making a new Channel, *Provided* always that the Owners of ſuch Carts, Wains or Negroes are not then making Sugar, and that they take not above five Negroes for a Week out of a Plantation, and a Wain or Cart for the ſame time, and that the Owners of ſuch Carts, Wains or Negroes, that ſhall be ſo employed, be allowed out of their reſpective Taxes what ſhall be thought reaſonable for the hier of them, by the ſaid Commiſſioners as aforeſaid. *And* be it Enacted by the Authority aforeſaid, that it ſhall and may be Lawful for the ſaid Commiſſioners or any Five or more of them, by Warrants under their Hands and Seals, to give Authority to any Perſon or Perſons to Levy the ſaid Sums of Money by them from time to time to be Aſſeſſed upon the Perſons, Lands or Negroes, or upon all or any of them as aforeſaid by diſtreſs and ſale of the Goods of ſuch Perſon or Perſons that ſhall not pay, or refuſe to pay the ſame, and the Overplus of the value riſing upon ſuch ſale ſhall return to the Owner of the ſame, and in default of ſuch diſtreſs to be taken and ſold, it ſhall and may be Lawful for ſuch Collectors as ſhall be appointed by the ſaid Commiſſioners, or any Five or more of them, to ſue the Factor or Attorney of ſuch Perſon or Perſons as have Lands lying within the Limits aforeſaid.

*if the Owners are not making Sugar,*

*but not above 5 Negroes a Week from one Plantation,*

*which they ſhall pay for.*

*The Commiſſioners ſhall give Warrants to diſtrain,*

*for the Money Aſſeſſed,*

*or in want of diſtreſs,*

*ſhall ſue for it.*

*Conſtables, &c. ſhall be aſſiſting, and ſhall have 1 s. in the pound.*

And that all Conſtables, Marſhals and Tything-men be Aiding and aſſiſting in the levying all ſuch Taxes, as ſhall be aſſeſſed and levyed as aforeſaid, and that they receive Twelve Pence in the Pound for Levying the ſame. And be it further Enacted by the Authority aforeſaid, that if any Action or Suit ſhall be brought againſt any Perſon or Perſons for taking any Diſtreſs or Sale of the ſame, or for turning the Courſe, of the River through any Perſons Land, or for Cutting a new Channel through the ſame, or any other thing done by the Authority of this Act, the Defendant in any

*If any Action be brought for any thing done by this Act,*

any ſuch Action, or Suit ſhall plead the General Iſſue and give this Act in Evidence, whereupon Iſſue ſhall be Joyned, and the Jury ſhall find for the Defendant, and Aſſeſs treble Damage for his wrongful vexation in that behalf. *Provided* always and it is the true Intent and Meaning of this Act, that if any new Channel for the Conveiance of the ſaid River be cut through any Perſons Lands, all ſuch Damages as he receiveth thereby, ſhall be valued by the ſaid Commiſſioners or any five or more of them, and Satisfaction ſhall be made to the Owners of ſuch Lands out of the Money ſo to be Aſſeſſed and Levied as aforeſaid, and whatſoever Land ſhall be Recovered by means of Draining, what now is overflown ſhall belong to the firſt Proprietors; and that this Act continue in Force for the Term of Five Years and no longer, any thing in this Act or any other ſeeming to the contrary notwithſtanding.

*the Defendant ſhall plead the general Iſſue, and the Jury ſhall give treble Damage,*

*through whoſe Land a Channel ſhall be Cut, he ſhall be paid for the Damage,*

*and Land Recovered ſhall return to the Owners.*

*This Act to continue only 5 Years.*

# An ACT

## *For Regulating Building, and preventing Fire.*

BE it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That no Perſon whatſoever preſume to Build any Houſe at *Port-Royal* within thirty Foot of the High-Water Mark, and that when any Houſe or Houſes are already Built, or hereafter ſhall be Built, on the Harbor ſide nearer than thirty Foot of the High-Water Mark, the Wherry Place only excepted, ſuch Houſe or Houſes ſo Built or to be Built, ſhall and are hereby, adjudged, deemed and taken to be publick Nuſances, and the Proprietor or Proprietors of the ſame ſhall cauſe ſuch Houſe or Houſes Built thereon to be taken down and removed within ſix Months after conviction thereof, or otherwiſe Build

*At* Port-Royal, *none ſhall Build within* 30 *foot of the Sea,*

*except the Wherry-place, if they do the Houſes ſhall be puld down,*

*in 6 Months*

*or a Wharf Built.*

or cauſe to be Built within ſix Months a ſtrong ſubſtantial Wharf, ſo as the ſame may make a firm Paſſage or way of Thirty Foot from High-Water Mark.

*No Houſe ſhall be Built further North than Major Bach's, &c.*

Provided that no Houſe ſhall be Built further Northward on the Harbour then Major *Samuel Bach* and Captain *Anthony Swimmer* on any Land Wharfed or to be Wharfed out between *Fort James* and *Fort Carliſle*, but that all Land ſo made out of the Harbour, or to be made, ſhall remain unbuilt on.

*If Fire break out in any Town,*

And be it further Enacted and Declared by the aforeſaid Authority, That when any Fire ſhall happen to break out either at *Port-Royal*, or at any other Town already Built, or which hereafter ſhall be Built within this Iſland, that two or three of the Chief Military or Civil Officers of the ſame Town or Pariſh ſhall or may and hereby are Empowered to give all ſuch directions for the Pulling down or blowing up any ſuch Houſe or Houſes, that ſhall be by them adjudged meet to be pulled down or Blown up for the ſtopping and preventing the further ſpreading of the ſame, and if it ſhall happen that the pulling down or blowing up any ſuch Houſe or Houſes by the directions aforeſaid, ſhall be the Occaſion of ſtopping the ſaid Fire, or the Fire ſtops before it comes to the ſame, then all and every Owner of ſuch Houſe or Houſes ſhall receive Satisfaction, and be paid for the ſame by the reſt of the Inhabitants, whoſe Houſes ſhall not be Burnt, who are hereby empowered to make ſuch Rate or Rates for the raiſing and Levying ſuch Sum and Sums of Money as ſhall be thought convenient by the Juſtices and Veſtry men of the Pariſh.

*the Chief Officers ſhall order the Pulling down,*

*or blowing up Houſes,*

*which ſhall be paid for if it ſtop the Fire,*

*by thoſe whoſe Houſes are not Burnt,*

*for which a Tax ſhall be made.*

*If the Houſe where the Fire began ſhall be puld down,*

Provided always, That if that Houſe where the Fire ſhall firſt begin and break out ſhall be Adjudged fit to be Pull'd down to hinder the further ſpreading and increaſe of the ſame, that then the Owners of ſuch Houſe ſhall receive no manner of ſatisfaction for the ſame, any thing in this *Act* or any other *Act* to the Contrary Notwithſtanding.

*the Owner ſhall have no Satisfaction.*

And whereas it may be doubted that the Sea may encroach upon the Southward part of the Town of *Port-*

*Port-Royal* for the prevention whereof be it Enacted by the Authority aforeſaid that all Proprietors or Owners of Land or Houſes their Factors, Agents, Attorneys, and Guardians of Children, or any Perſons employed by them or any of them that are Intereſted on the Southermoſt part of *Port-Royal* from *Fort Rupert* to the Houſe and Land now Inhabited by one *Edward Watkins*, and known by the Sign of the *Blew Bell*, be hereby Enjoyned and Obliged by this Act within twelve Months after Publication hereof Subſtantially to Wharf out, and Secure and keep Secured their reſpective Proportions of Land joining on the Sea, with ſubſtantial Wharf of laſting Timber at leaſt one Foot into the Sea, under the Penalty of Ten Pounds currant Money of this Iſland, for every Year any ſuch Perſon or Perſons ſhall Neglect the ſame, one third part thereof to our Soveraign Lord the King his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, one the third part to the Church-Wardens of the Pariſh of *Port-Royal* for the time being, for the uſe of the Poor, and the other third part to the Informer or he that ſhall Sue for the ſame, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

*Owners of Houſes on the South ſide of Port-Royal,*

*muſt Wharf againſt the Sea in one Year,*

*on Penalty of 10 l. for every Year,*

*one third to the King,*

*one third to the Pariſh,*

*one third to the Inform.*

And that the Owners or Proprietors of ſuch Land or Houſes as aforeſaid many be the better Encouraged to Wharf out as is before appointed, the Street now called the Church Street, ſhall be no more deemed, accounted or taken for a Street, but ſhall be Added or Annexed to each Propriety and Freehold in Proportion to their Reſpective Intereſt bounding upon the ſame, for which Conſideration they are hereby Obliged to leave a Paſſage at leaſt eighteen Foot open to the Sea.

*To Encourage them to Wharf,*

*Church-Street is added to their Lands,*

*for which they are to leave 18 foot from the Sea.*

*Provided* that nothing in any Clauſe of this Act ſhall Permit and ſuffer any Perſon or Perſons whatſoever, to Build any Houſe nearer to the Church on the South-ſide, than what are already Built for the whole length of the Church aforeſaid. And

*None to Build on the South ſide of the Church.*

*None to fetch Stones from the Riffs below Low-Water Mark,*

*nor from any part of the Eaſtmoſt ſide of* Port-Royal, *on Penalty of* 10 l.

*None to caſt Ballaſt into the Harbour, on Penalty of* 20 l.

And be it further Enacted by the Authority aforeſaid, That no Perſon or Perſons do fetch or cauſe to be fetched in any Boat, Veſſel, or Canoa, from the Riffs or Shoals, or dig up any Stones below High-Water Mark from the Eaſtermoſt and Southermoſt Parts of any of the Cays lying off *Port-Royal*, and that no Stones ſmall or great be fetched or taken up for balaſt or any other uſe from the Eaſtermoſt ſide of the Point on *Port-Royal*, ſo far as *Plum-Point* on Penalty of Ten Pounds for every ſuch offence, and that no Commander and Maſter of any Ship or Veſſel caſt or hoiſt out any Ballaſt overboard into the water within the Harbour of *Port-Royal*, or any other Harbour or Bay upon the Penalty of Twenty Pounds for every ſuch offence.

*No Wreeks ſhall be laid up in* Port-Royal *Harbour, but if any ſink they ſhall be removed in one Month, or the Owners pay* 20 l. *every Month.*

And be it further Enacted, that no Wreeks be laid up within the Harbour of *Port-Royal*, or if any ſuch decay'd Veſſels or Wreeks ſink in the Harbour by neglect of the Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, and not removed within one Month after the ſinking thereof, the ſaid Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame ſhall forfeit Twenty Pounds for every Month ſuch Veſſel ſhall ſo lie.

*The Fines of this Act ſhall be, one third to the King,*

*one third to the Pariſhes,*

*one third to the Informer.*

*Provided* alſo that the ſeveral Fines, Forfeitures and Penalties before mentioned in this *Act*, and not declared where they ſhall be recovered and how diſpoſed of, be one third to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and Contingent Charges thereof, one third to the Church-Wardens for the uſe of the Reſpective Pariſhes, and one third to the Informer to be recovered by Action of Debt in any Court of Record within this Iſland, where no Eſſoins Protection or Wager of Law ſhall be allowed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And foraſmuch as great and diverſe complaints are daily made by Maſters and Commanders of Ships and Veſſels Trading to this Iſland, that upon their Ships or other Veſſels coming into any Harbour of the ſame,

ſame, the Seamen belonging to the ſaid Ships or Veſſels do run on Shore, inſomuch that they have not left on Board a ſufficient Number of men to watch the ſaid Ships or Veſſels; Be it therefore Enacted and Ordained by the Authority aforeſaid, That all and every Perſon or Perſons that ſhall receive or entertain any Seaman or Seamen belonging to any Trading Ships or Veſſels Riding in any Harbour of this Iſland, after the Ships Bell Ringing to ſet Watch, at eight of the Clock at night, every ſuch Perſon or Perſons receiving or Entertaining of every ſuch Seaman as aforeſaid, ſhall forfeit for the Entertainment of every ſuch Seaman, the Sum of Forty Shillings, one half to the Poor of the Pariſh, where the offence is or ſhall be committed, and the other half to the Maſter or Commander that ſhall Proſecute for the ſame, to be recovered by a Warrant from a Juſtice of the Peace, as in caſes of Debt not exceeding Forty Shillings.

*All that entertain Seamen,*

*after 8 at night,*

*ſhall forfeit 40 s. one half to the Poor, one half to the Maſter of the Ship.*

## An ACT

### *For the Maintenance of Miniſters, and the Poor, and Erecting and Repairing of Churches.*

FOr raiſing a convenient maintenance for the Miniſters and Poor, and Erecting and Repairing of Churches within this Iſland, *Be it Enacted* by the Governour, Councel and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That the reſpective Juſtices of every Pariſh within this Iſland, or any two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tything-men, to Summons the Freeholders of that Pariſh together, on the Second *Tueſday* in *January* for the Chooſing of Ten Veſtry-men, and two Church-Wardens ſuch as ſhall conform to the Church of *England*, and if they ſhall neglect to Iſſue their Warrant, ſo as the Election

*The Juſtices ſhall cauſe the Free-holders to Meet on the 2d Tueſday in January. to Chooſe Veſtry men and Church-Wardens.*

*else the Juſtices ſhall forfeit 5. l.*

be not made that day, they ſhall reſpectively forfeit five pounds Currant mony of this Iſland; and in Caſe the ſaid Freeholders duly Summoned as aforeſaid,

*If the Freeholders neglect to Chooſe, the Juſtice in Ten days after ſhall lay a Tax.*

ſhall not appear, or appearing do not Chooſe the ſaid Ten Veſtry-men and two Church-Wardens, that then in their Default the ſaid Juſtices ſhall within ten days after the ſaid ſecond *Tueſday* in *January*, or any day after as to them ſhall ſeem convenient, lay a reaſonable Tax on the ſaid Pariſh for the maintenance of

*for the Miniſter, &c.*

the Miniſter and Poor, and for Erecting convenient Churches and repairing ſuch as are already made, and making convenient ſeats in them, and if the ſaid

*or ſhall forfeit 5. l.*

Juſtices and Veſtry-men ſhall neglect their duty herein they ſhall reſpectively forfeit five Pounds Currant money of this Iſland.

*The Juſtices and Veſtry-men that are Abſent ſhall forfeit 5. l.*

And be it further Enacted and Ordained by the Authority aforeſaid, That ſuch of the Juſtices and Veſtry-men that ſhall not be preſent at the time appointed to make the ſaid Taxes, and thereof be convicted by a Certificate under the hands of ſuch as do appear, and have no ſufficient excuſe for the ſame, ſhall Reſpectively forfeit five Pounds Currant Mony of this Iſland, and a Roll of the ſaid Tax ſo made ſhall be delivered into the hands of the reſpective Conſtables of the ſaid Pariſhes with a Warrant under the ſame ſigned by any two Juſtices of the Peace, impowering him or them to Levy the ſaid Tax, and upon refuſal to diſtrain and ſell by Publick Outcry and pay the ſame into the hands of the Church-Wardens, retaining to himſelf Twelvepence *per* pound for Levying thereof; and if any Perſon ſhall refuſe to Pay what he is ſo Aſſeſſed and the ſaid Conſtables Diſtrain for the ſame, all his Charges ſhall be paid him with ſuch further allowance for his pains, as the ſaid Juſtices or any one of them ſhall Judge reaſonable; and if the ſaid Juſtice or Juſtices ſhall neglect to Iſſue the ſaid Warrant, he or they ſhall reſpectively forfeit, five Pounds Currant Mony of this Iſland; and if the ſaid Conſtables or any of them fail of their duty herein, they ſhall reſpectively forfeit five Pounds Currant

*The Roll with a Warrant, ſhall be given the Conſtables.*

*who ſhall have 1. s. in the Pound.*

*and his Charges if he Diſtrain.*

*If the Juſtices neglect to Iſſue, the Warrant they ſhall forfeit. 5. l.*

Currant Mony of this Iſland: And the Church-Wardens ſo Choſen ſhall undertake the ſaid Office, and receive and keep a good account of the Monies or goods Levyed by Vertue of this Act, and the ſame Iſſue by Order from the ſaid Juſtices and Veſtry-men of the Pariſhes for the purpoſes and intents aforeſaid; and the Church-Wardens ſhall as often as thereunto required, yield and give a juſt and true account unto the Juſtices and Veſtry-men of all their Receits and Diſburſements; and in caſe the ſaid Church-Wardens, or any of them ſhall neglect their Duty herein they ſhall reſpectively forfeit five Pounds Currant Mony of this Iſland for every refuſal.

*The Church-Wardens ſhall keep the Account,*

*and give it to the Juſtices,*

*which if they neglect. they ſhall forfeit 5. l.*

And be it further Enacted and Ordained by the Authority aforeſaid, That the reſpective Juſtices of the Pariſhes of *St. Dorothy* and *St. Thomas* in the Vale, or any two of them ſhall every Year Iſſue out their Warrants to the Conſtables and Tything-men, to Summon in the Freeholders of the ſaid Pariſhes, the Second *Tueſday* in *February*, for the Chooſing of ten Veſtry-men and two Church-Wardens as aforeſaid; and that the ſaid Juſtices and Veſtry-men, or the Major part of them are hereby impowered to lay on the Pariſhioners a reaſonable Tax over and above the Rate impoſed on them by Vertue of this Act, by the Juſtices and Veſtry-men of the Pariſh of *St. Catharines*; Provided it exceed not one Hundred Pounds Currant Mony of this Iſland, for and towards the Building and Erecting Churches, and making convenient Seats in them in their reſpective Pariſhes, and to no other uſes whatſoever; and that whatſoever Rate or Rates hath been already aſſeſſed by the Juſtices and Veſtry-men of the Pariſh of St. *Dorothy's* upon their Pariſhioners or any other Perſon or Perſons having Land, Goods or Stock within the ſaid Pariſh, is hereby Ratified Confirmed and Declared Lawful, any Clauſe in this Act ſeeming to the contrary notwithſtanding, a Roll of any Taxes ſo made ſhall be delivered into the hands of the reſpective Conſtables of each Pariſh with a Warrant under the ſame ſigned by any two of the Juſtices,

*The Juſtices of St. Dorothy and St Thomas in the Vale ſhall Summon the Freeholders.*

*the Second Tueſday in Febuary, to Chooſe Veſtry-men &c.*

*who ſhall Lay another Tax.*

*not exceeding 100. l.*

*for the building Churches.*

*what Taxes, have been already made in St. Dorothy's are Ratified;*

*this Tax the Conſtables ſhall gather by Warrant,*

Juſtices, Impowering him or them to Levy the ſaid Tax, and upon refuſal to Diſtrain and Sell by Publick Outcry as aforeſaid, any thing in this Act ſeeming to the contrary notwithſtanding.

*and on refuſal ſhall Diſtrain.*

And be it further Enacted and Ordained by the Authority aforeſaid, That the Juſtices and Veſtry-men of each Pariſh have full Power to enquire into Arrears of former Subſcriptions and Taxes, and to Levy the ſame Arrears by Warrant from the Juſtices to the Conſtables aforeſaid, and that the Miniſter Demand no Fee in his own Pariſh for Chriſtnings, Marriages, Churchings, or Burials under the Penalty of five Pounds for every offence, unleſs ſuch as the Juſtices and Veſtry-men ſhall allow, any Law, Cuſtom, or Uſage to the contrary notwithſtanding, the one half of all which Forfeitures ſhall be to the Poor of the Pariſh and the other Moiety to him or them that ſhall ſue for the ſame, in any Court of Record within this Iſland.

*The Juſtices and Veſtry ſhall enquire into former Arrears, and cauſe the ſame to be Levied; the Miniſter ſhall have no Fees in his own Pariſh for Chriſtning, Marrying, or Burial, on Penalty of 5l. but what the Juſtices and Veſtry ſhall allow, the Forfeiture ſhall be half to the Poor, half to them that ſue.*

And foraſmuch as many Perſons who may by Vertue of this Act, & the Actr for mending and repairing the High-ways, be Taxed, and have nothing in the Pariſh where they are Taxed upon which any Diſtreſs may be made, It is therefore Enacted and Ordained by the Authority aforeſaid, That in ſuch Caſes from and after the making hereof, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace as in other Debts for the ſeveral Church-Wardens and Surveyors of each Reſpective Pariſh and their Succeſſors to recover againſt any of the ſaid Perſons Rated or Aſſeſſed by vertue of this Act, or any of them, or their Agents or Attorneys here, all ſuch Sum and Sums of Mony as are or ſhall be rated or aſſeſſed upon them as aforeſaid.

*Where no Diſtreſs can be made,*

*an Action of Debt ſhall lye,*

And that the ſame Rate or Aſſeſſment produced in ſuch Court of Record or before ſuch Juſtice of the Peace as aforeſaid, ſhall be ſufficient Evidence and proof for the recovery of all ſuch Sum or Sums of Mony ſo Rated or Aſſeſſed as aforeſaid: *Provided* nevertheleſs, and it is the true intent and meaning hereof

*And the Rate produced in Court, ſhall be Evidence,*

hereof, That no Juſtices of the Peace and Veſtry-men ſhall have power to aſſeſs any ſuch Perſon or Perſons as aforeſaid above the Sum of one ſhilling *Per Annum*, and for every hundred Acres of Land, and ſo proportionable for a greater or leſſer quantity. *But none ſhall be Rated above 1. s. Per Annum for 100. Acres of Land.*

And it is hereby further Enacted and Ordained by by the Authority aforeſaid, That any Perſon or Perſons aggrieved or Rated in any ſuch Aſſeſſment or Tax have hereby liberty granted to Appeal to the Juſtices ſitting in the Quarter Seſſions in their Reſpective Precincts in this Iſland; *Provided*, that ſuch Appeal to them be made at the firſt or ſecond Quarter Seſſions after ſuch Taxes made and not afterwards, and that there it Appearing to the ſaid Juſtices that he, ſhe or they were Over-rated, Taxed or Aſſeſſed, the ſaid Juſtices are hereby Authorized and Impowered, if they find him, her or them, ſo Over-rated or Aſſeſſed, to eaſe him, her or them, as to their diſcretion ſhall ſeem meet, but that no Appeal ſhall lie further, or to any other Court or Place in this Iſland, for any Tax or Rate made or Aſſeſſed by the Juſtices and Veſtry-men of each reſpective Pariſh in this Iſland, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding: And be it further Enacted and Ordained by the Authority aforeſaid, That the Church-Wardens of each reſpective Pariſh within this Iſland, do buy or cauſe to be bought one Fair, well-bound Book, wherein the Miniſter, and in caſe there be no Miniſter there reſident, the Reſpective Church-Wardens upon notice thereof given by the Maſters of the ſeveral Families, who are hereby required to give ſuch notice under the Penalty of five Pounds, ſhall Regiſter or cauſe to be Regiſtred by the Clark of the Veſtry of that Pariſh, the Times of the Births, Chriſtnings, Marriages, and Burials, of all ſuch Perſon or Perſons that ſhall from time to time be Born, Chriſtned, Married, or Buried, within the ſaid Pariſh, under the Penalty of five Pounds for every ſuch Default; And that the ſaid Clark or Perſon that ſhall Regiſter the ſame, ſhall have and receive

*Any that are aggrieved may Appeal to the Juſtices in Seſſions, ſo that it be done the firſt or ſecond Seſſions,*

*but to no other Court,*

*the Church-wardens ſhall buy a Book,*

*and by notice of the Maſters of Families, who otherwiſe forfeit 5l. therein ſhall be Regiſtred, the Births, Chriſtnings, Marriages and Burials, on Penalty of 5l. if the Regiſter fails,*

*for each of which he ſhall have 15d.*

as a Fee for each Entry Fifteen Pence and no more.

*And this ſhall be taken for an Authentique Record in all the Courts;*

And it is hereby further Enacted by the Authority aforeſaid, That all ſuch entries duly made and kept as aforeſaid ſhall at all times hereafter be Deemed, Judged and taken as an Authentique Record of all ſuch Births, Chriſtnings, Marriages, and Burials, and in all and every the Courts of Records in this Iſland; But if any

*they that make falſe Entrys, or raze or Imbezel ſuch Books,*

Perſon hereby Authorized to make ſuch Entry or any other whatſoever ſhall make or cauſe to be made any falſe Entry, or ſhall raze out or Imbezel any Entry or Books of Entry, he or they ſo offending ſhall be

*ſhall be Puniſhed as the Laws of England Appoint;*

proceeded againſt and Puniſhed in manner and form, as the Laws of *England* provide againſt ſuch as Steal, Raze, or Imbezel, Records; The one Moiety of all

*the Fines to go, one half to the Poor, one half to the Informer.*

which Forfeitures or Penalties, or any other mentioned in this Act, and not directed how to be diſpoſed of, ſhall be to the Poor of the Pariſh where the fault is committed, the other Moiety or half part to the Informer, to be recovered by Bill, Plaint or Information in any of his Majeſties Courts of Record in this Iſland, wherein no Wager of Law, Eſſoin, Protection or Injunction ſhall be allowed, any thing in this Act or in any other Act to the contrary in any wiſe notwithſtanding.

Port-Royal *ſhall pay to the Miniſter* 250l. Per Ann.

And be it further Enacted and Ordained by the Authority aforeſaid, That the Pariſh of *Port-Royal* do allow and pay unto the Miniſter thereof two Hundred and fifty Pounds *Per Annum* of Currant Money of this Iſland, and that the Pariſh of St *Catharines*

*St.* Catharines 140l.

do allow and pay unto the Miniſters thereof One Hundred and forty Pounds of the like Money *Per Annum*, and not leſs; And that the Pariſh of St. *Thomas*, St. *Andrews* and St. *Johns*, do allow and pay unto

*St.* Thomas &c. 100.

their Reſpective Miniſters One Hundred Pounds of like money *Per Annum*, and that all the other Pariſhes

*all other Pariſhes* 80l. Per Ann.

within this His Majeſties Iſland, that either have or ſhall have a Miniſter, do allow and pay Eighty Pounds Currant Money and not leſs, as a conſtant Yearly

*one half every 6 Months without Charge;*

Salary for the ſupport and Maintenance of every of their Miniſters to be Paid at their Reſpective dwelling Houſes every ſix Months, without any Charge or defalcation

defalcation by equal Portions; and none to be Capable of being preſented to the ſaid Benefices, or receiving the profits of the ſame, unleſs they produce due Teſtimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Prieſts Orders, and the ſaid Teſtimonials to be Recorded in the Secretaries Office.

*but the Miniſter muſt be qualified,*

*elſe ſhall not have the Profits.*

And be it further Enacted and Declared by the Authority aforeſaid, That no Miniſter not duly qualified as aforeſaid, Preſume to Marry any Perſon or Perſons whatſoever under the Penalty of one Hundred Pounds Currant Money of this Iſland, one third thereof to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the Contingent charges thereof, one third to the Poor of the Pariſh, where the offence ſhall be committed, and the other part to him or them that ſhall Sue for the ſame in any of the Courts of Records within this Iſland; and that no Miniſter preſume to Marry any Perſons whoſe Banes have not been Publiſhed three times in their Pariſh-Church or have a Licence from the Governour or Commander in Chief for the time being, Authorizing him thereunto, under the like Penalty, and to the ſame uſes, to be recovered as aforeſaid, or twelve Months Impriſonment: *Provided* always, and it is the true intent and meaning of this Act, That no Eccleſiaſtical Law or Juriſdiction, ſhall have Power to Inforce, Confirm, or Eſtabliſh any penal Mulcts or Puniſhment in any caſe whatſoever, any thing in this Act or any other to the contrary notwithſtanding.

*Nor Marry any Perſons,*

*on Penalty of a* 100l.

*one third to the King.*

*one third to the Poor,*

*one third to them that ſue;*

*nor without Banes or Licence,*

*under the like Penalty.*

*or one Years Impriſonment.*

*No Eccleſiaſtical Law to Inforce Mulcts, &c.*

And whereas this Iſland in the twenty ninth Year of his Majeſties Reign by an Act of this Country was divided into fifteen Pariſhes, which were called, diſtinguiſhed and known by ſeveral names hereafter mentioned, that is to ſay, St. *Thomas*, St. *Davids*, *Port-Royal*, St. *Andrews*, St. *Katharines*, St. *Dorothy's*, St. *Thomas* in the *Valley*, *Clarendon*, *Vere*, St. *Johns*, St. *Georges*, St. *Maries*, St. *Anns*, St. *James*, St. *Elizabeths*, Be it therefore Enacted and Ordained by the Authority

*The Iſland being formerly divided*

*into theſe Pariſhes,*

*ſhall ſo continue.*

rity aforeſaid, That all and every of the ſaid ſeveral Pariſhes reſt, remain and for ever hereafter be diſtinguiſhed and known by the aforeſaid reſpective Names, and by no other whatſoever, any thing in this or any other Law to the contrary notwithſtanding.

# An ACT

## *Aſcertaining the Value of Foreign Coins, and Eſtabliſhing Intereſt.*

*Spaniſh and French Piſtols ſhall paſs for 20s.*

*Pieces of 8 & French Crowns for 5s. except Peru, & that ſhall be 4s.*

BE it Enacted by the Governour Council and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That each ſingle Spaniſh Dubloon or French Piſtol ſhall be Currant, and paſs for twenty Shillings Currant Money, each ſingle Piece of *Sevil*, *Mexico*, or *Piller*, and each French Crown at five ſhillings, Currant Money, a *Peru* Piece of Eight at Four ſhillings, and all Monies whatſoever of thoſe Coins aforeſaid, ſhall in all Payments whatſoever be proportionably rated, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*and whoſoever ſhall falſify it, ſhall be guilty of High Treaſon.*

That whoſoever ſhall for baſe lucre by any way or means Coin, Falſify, Impair, Diminiſh, Seal, Waſh, Clip, File, or Lighten, any of the Money aforeſaid, or any other Money Currant in this Iſland, ſhall be guilty of High Treaſon, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*After the 21ſt. July 1681.*

*Intereſt ſhall be at 10. per Cent.*

And it is further Enacted and Declared by the Authority aforeſaid, that from and after the twentieth day of *July* in the Year of our Lord one Thouſand ſix hundred eighty and one no Perſon or Perſons whatſoever upon any Contract made or to be made ſhall directly or indirectly take for the Loan of any Monies above the Value of Ten pounds Currant Money for the forbearance of One Hundred Pounds Currant Money of one Year, and ſo after the Rate for a greater or leſſer Sum for a longer or ſhorter time,

time, which ſaid Intereſt is hereby declared to be only recoverable upon Penal Bonds and Mortgages. *on Bonds & Mortgages only,*

That all Bonds, Contracts, and Aſſurances whatſoever, made hereafter for the Payment of any Principal Money to be lent on Uſury, whereupon or whereby there ſhall be received or taken above the Rates of Ten Pounds Currant money in the Hundred as aforeſaid, ſhall be utterly Void, and that all and every Perſon or Perſons whatſoever, who ſhall hereafter upon any Contract to be made; take, accept, or receive, by any way or means, or Corrupt Bargain, Loan, or Exchange, Shift, or Intereſt, of any Moneys, or by deceipt or any other Fraudulent Conveyance for forbearance or giving day of payment for one whole Year, or in proportion for a longer or ſhorter time for their Monies, the Sum of Ten Pounds Currant Money aforeſaid, ſhall Forfeit and loſe for every ſuch his or their Offence treble the Value of the Money lent or bargained for, by any way or means whatſoever; One Moiety of which Forfeitures ſhall be to Our Soveraign Lord the King, his Heirs and Succeſſors for and towards the ſupport of the Government of this Iſland, and the Contingent Charges thereof, the other Moiety to him or them that ſhall Sue for the ſame, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. *and no more. on loſs of the whole, or if more be taken by any ſevere way, they that take it, ſhall loſe treble the Princi-pal, one half to the King, one half to him that ſhall ſue.*

And whereas certain evil diſpoſed Goldſmiths, deceitfully do make and ſell Plate and other Gold and Silver Wares to the great Defrauding of his Majeſties Subjects of this Iſland, for remedy whereof, Be it Enacted by the Authority aforeſaid, That no Goldſmith or Worker in Gold or Silver within this Iſland, from and after the firſt day of *Auguſt* in the Year of our Lord One Thouſand Six Hundred Eighty and One, ſhall Work, Sell, Exchange, or cauſe to be Wrought, Sold, or Exchanged, any Plate or other Goldſmiths Wares of Gold, leſs in fineneſs than twenty two *Carrats*, and that from the time aforeſaid, no Goldſmith or Worker in Gold or Silver ſhall Make, Sell *No Gold or Silver-ſmith, after the* 1ſt. *day of* Auguſt 1681. *ſhall ſell Gold Wares leſs fine then* 22 Carrats,

or Exchange in any place within this Iſland, any Plate or Goldſmiths Wares of Silver leſs in fineneſs than that of Eleven Ounces two Penny weight, and that no Goldſmiths or Worker in Gold or Silver ſhall preſume to put to Sale, Exchange or Sell, any Plate of Goldſmiths work of Gold or Silver, before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, upon pain of Forfeiting the Value of the thing ſo Sold or Exchanged.

*or Silver then of 11 ounces 2d. weight,*

*nor without his own Mark, on Forfeiture of the whole;*

And be it further Enacted and Ordained by the Authority aforeſaid, That whatſoever Goldſmith or Worker in Gold or Silver as aforeſaid, from and after the ſaid firſt day of *Auguſt*, ſhall preſume to Sell or Exchange any Gold or Silver Wares, of leſs fineneſs than aforeſaid, for every ſuch firſt offence, ſhall forfeit treble the Value of the ſaid Wares ſo Sold or Exchanged, one half whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and theContingent Charges thereof, and the other half to the Party aggrieved to be recovered in manner and form aforeſaid, and whoſoever ſhall offend the Second time, and thereof be convicted, ſhall ſtand in the Pillory for the ſpace of one Hour, and loſe his Ears for the ſame.

*or under this Standard, on Forfeiture, for the firſt Offence of treble the Value;*

*one half to the King,*

*one half to the Party aggrieved,*

*and the 2d. time ſhall ſtand in the Pillory.*

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# An ACT

## *For the better Securing certain Titles, made by way of Releaſe and Confirmation, under the Great* Seal *of this* Iſland.

WHereas *Nicholas Keen* and *John Duray* Late of this Iſland, Died Aliens, or otherwiſe Incapable by Law to make any good Deviſe or other Conveyance of ſuch Real Eſtate, as they, or either of them Died Seized of in this Iſland: And foraſmuch as *Redman Macragh* Claiming under one *Dennis Macragh*

Redman Macragh,

*Macragh* Deceaſed, who Claimed under the laſt Will and Teſtament of the ſaid *Nicholas Keen* hath as well through his own Induſtry and Expence as the great Charge and Hazard of the ſaid *Dennis*, very Conſiderably Improved the ſaid Eſtate of the ſaid *Nicholas Keen*; And that *Samuel Bradway* Executor of the Laſt Will and Teſtament of the ſaid *John Duray*, to whom alſo the ſaid *John Duray* did by his Laſt Will and Teſtament in Writing Deviſe, Give and Bequeath all his Real Eſtate, hath out of the ſame, Satisfied and Paid the Debts of the ſaid *John Duray*, and by his own Care and Coſt very much Advanced and Improved the Real Eſtate of the ſaid *John Duray*; And that the ſaid *Redman Macragh* and *Samuel Bradway*, have on their Humble Petitions, ſeverally obtained a Grant for the ſame, under the Great Seal of this Iſland, by way of Releaſe and Confirmation, that is to ſay, a Grant unto the ſaid *Redman Macragh*, his Heirs and Aſſigns for Ever, of all the Real Eſtate of the ſaid *Nicholas Keen*, and the ſaid *Samuel Bradway*, another Grant as aforeſaid, unto him, his Heirs and Aſſigns for Ever, of all the Real Eſtate of the ſaid *John Duray*:

*having Improved the Eſtate of* Nicholas Keen *an Alien,*

*and* Samuel Bradway *that of* John Duray,

*and having for thoſe Eſtates obtained grant under the broad Seal;*

Be it therefore Enacted and Ordained by the Governour, Council, and Aſſembly, And it is hereby Enacted and Ordained by the Authority of the ſame, That the ſaid Grants ſeverally made under the Great Seal of this Iſland, by way of Releaſe and Confirmation of the Eſtate of the ſaid *Nicholas Keen* Deceaſed unto *Redman Macragh*, his Heirs and Aſſigns, and the Grant made as aforeſaid, by way of Releaſe and Confirmation of the Eſtate of *John Duray* unto the ſaid *Samuel Bradway*, his Heirs and Aſſigns, be hereby Ratified and Confirmed, and the ſeveral Eſtates hereby alſo Releaſed, and Confirmed unto the ſaid ſeveral Grantees, their Heirs and Aſſigns for ever, any Statute, Law, Cuſtom, or Uſage, to the contrary in any wiſe Notwithſtanding.

*thoſe grants are hereby Confirmed*

*to them and their Heirs for ever.*

An

# An ACT

## *For ſetling the* Militia.

*Preamble.*

*Whereas* the Situation of this Iſland, amidſt Subtle, Rich and Potent Nations, cannot but ſufficiently Convince every reaſonable Man of the Neceſſity the Inhabitants have, of being well Armed and Trained up in the Art *Military*, as well for the Honour and Service of His Moſt Excellent Majeſty, As the Preſervation of our own Lives and Fortunes;

*No man from 15 to 60 Years ſhall be unliſted,*

*the ſpace of 6 Weeks on Penalty of 40s.*

*every Souldier muſt be provided with good Arms and Amunition, and appear when Appointed, on Penalty,*

*how the Horſe ſhall be provided, on Penalty,*

Be it therefore Enacted and Ordained by the Governour, Council, and Aſſembly, And it is hereby Enacted and Ordained by the Authority of the ſame, That no Perſon whatſoever from 15 to 60 Years of Age, remain Unliſted by themſelves, Maſters, Miſtriſſes, or Employers, under the Captains, in the reſpective Places of their Abode, in Foot, or Horſe, the ſpace of ſix Weeks, on Penalty of Forty Shillings and ſo for every Six Weeks, ſuch Perſons ſhall remain Unliſted; And that every Foot Souldier be provided with a well Fixed *Musket* or *Fuſee* or (if the Officer ſo appoint) with a good *Pike* and *Sword*, or *Launce* and *Piſtol*, Each *Muſqueteer* to have ſix Charges of Powder and one *Cartouch Box*, and ſo ſhall appear, when and where Appointed, upon Penalty of Ten Shillings for his Default in not Appearing, & Four Shillings for want of each Charge of Powder, *Gun*, *Pike*, *Sword*, *Piſtol*, or *Cartouch-Box*, ſo as the whole Penalty for any Perſon at one time Exceed not Ten Shillings; and that every Souldier belonging to the Horſe, ſhall when and where commanded, appear and be provided with a good Serviceable Horſe of Ten Pounds Value at the leaſt, Covered with a good Saddle, with Holſters, Breaſt-Plate and Crupper, and a Caſe of good Piſtols, Hanger, Sword or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each times abſence,

ſence, and Six Shillings for default of each the particulars abovementioned, ſo as the whole Penalty for one time exceed not fifteen Shillings, and that every Foot Souldier ſhall have at his Habitation and Abode two Pounds of good Powder, and Six pounds of ſizeable Bullet, and every Trooper have at his Uſual place of abode, a well Fixed *Carbine* with Belt and *Swivel* and Four pounds of fine powder, with twelve pounds of Sizable Bullets, on Penalty of Ten Shillings for each Default, and that each of them ſhall bring the ſame into the Field, when Commanded, upon Penalty of anſwering the ſame at a Court Martial: Provided nevertheleſs, that nothing herein be Conſtrued to Extend to force or compel any Perſon, that hath or ſhall be in Commiſſion in this Iſland to Liſt himſelf in any Company or Troop, or to ſerve in any Capacity beneath the former Commiſſion, unleſs ſuch Perſon hath been Degraded by a Court Martial.

*what Amunition the Foot ſhall keep by them,*

*what the Horſe,*

*on Penalty of 10s.*

Proviſo *for Commiſſion Officers.*

And it is further Enacted by the Authority aforeſaid, That no Perſon ſo Liſted as aforeſaid ſhall depart thence without a diſcharge from the Commander of the Company or Troop where Liſted, on Penalty of forty Shillings, and that no Commander of any Company or Troop ſhall refuſe when deſired to give a diſcharge in Writing to any that is removing his Abode out of the Precincts under the Penalty of Five Pounds.

*None that is Liſted ſhall depart without a diſcharge,*

*on Penalty of 40s.*

*which no Officer ſhall refuſe to give,*

*on Penalty of 5l.*

And whereas at the Town of *Port-Royal*, Guards, and Watches are every Night ſet and appointed, Be it therefore Enacted and declared by the Authority aforeſaid, That it ſhall and may be Lawful for any Perſon or Perſons Liſted in the Regiment of *Port-Royal* (except on extraordinary occaſions) to put a well Armed Man in their room, who if approved of by the Captain of the Guard, ſhall excuſe his or their Abſence; *Provided* always, that the Commiſſion Officers and Serjeants of the Reſpective Companies be obliged in their reſpective turns, to Mount the Guards in their proper Perſons, and that no Perſon ſhall refuſe to be a Serjeant, Corporal, or Drummer, in the Company

*In the Watches at Port-Royal,*

*any man may put another in his room,*

*except the Commiſſion Officers and Serjeants;*

*none ſhall refuſe an Inferior Office,*

*on Penalty of 5l.* or Troop, wherein he is Liſted, under the Penalty of Five Pounds.

*All Captains of Foot and Horſe,* And be it further Enacted and Ordained by the Authority aforeſaid, That all Captains of Companies of Foot or Troops of Horſe, ſhall within Six Months from and after Publication of this Act, Provide for

*ſhall Provide Trumpets, Drums,* &c. their Companies, and Troops, Drums and Colours, Trumpets, Trumpeters, and Banners at their own

*on Penalty of 10l.* Charge, under Penalty of Ten pounds, and ſo for every Six Months ſuch Commanders ſhall remain unprovided; and that all the Colonels of the reſpective Regi-

*and all Colonels,* &c. ments, or next Chief Officer in their Abſence ſhall once

*ſhall once every Year,* every Year at the leaſt Iſſue out their Warrants to their Inferiour Officers, commanding them to make diligent

*cauſe inquiry to be made if all be duly liſted,* Search and Inquiry in their ſeveral Precincts, that all be duly Liſted, Armed, and Equipped, and to return to them ſuch defects as ſhall be found, to the end the

*on Penalty of 100l.* ſame may be reformed, on Penalty of 100 Pounds; and that once every two Months, or oftener, as occaſion

*and cauſe their Regiment to meet once in 2 Months,* ſhall require, and Command be given by the Commander in Chief, the ſeveral Companies and Troops in each Regiment ſhall Meet at the next and moſt convenient Places, to be appointed by their reſpective

*except* Port-Royal, Officers, to be then and there by them Muſtered and Exerciſed, only the Regiment on *Port-Royal* ſhall Meet

*who ſhall meet once in 11 Weeks.* and Exerciſe one Company in each Week Succeſſively, and the whole Regiment once in Eleven Weeks.

*Whilſt the Souldiers are in Arms,* And it is further Enacted and Ordained by the Authority aforeſaid That during the time the ſaid Officers and Souldiers are in Arms they ſhall obſerve and

*they ſhall obſerve the Laws of War,* keep all and every of the Laws and Articles of War, and give all due Obedience to their Superior Officers,

*which ſhall be Eſtabliſhed by the Commanders in Chief.* which Laws and Articles the Commander in Chief with Advice of a General Council of War, is to make and Eſtabliſh, and the Commanders of the ſeveral Regiments to give out Copies of the ſaid Articles unto their Reſpective Officers, that the ſame may be publickly read once every Six Months unto the Souldiers, whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties. And if it ſhall happen

happen that any of the Officers or Souldiers, ſhall, when they are out of Arms, endeavour to take revenge by force, for any thing his or their Superiour Officers Lawfully did in purſuance of his or their duty, and this Act, the ſaid Officers and Souldiers ſhall be brought to a Court Marſhal and there puniſhed, as if the offence had been done in time of Service or Exerciſe: *Provided* that the ſaid Puniſhment do not Extend to Life or Limb.

*They that ſeek revenge ſhall be puniſhed by a Court Marſhal.*

And be it further Enacted by the Authority aforeſaid, That once every Year, or oftener if thereunto commanded, each particular Captain ſhall give to his Field Officer, and the Field Officer to the Commander in Chief, fair Written Rolls of their reſpective Companies and Regiments; and if any Field Officer, Captain or other Inferior Officer, or Souldier, ſhall negelect or contemn performing the Lawful Commands of their reſpective Superiour Officers, he or they ſhall be puniſhed by Fine, Caſheering or Puniſhment according to the Diſcretion of a Court Marſhal, which the Commander in Chief is to Appoint and Eſtabliſh, and the Orders of the ſaid Court Marſhal, are hereby declared to be Binding in all Military Affairs; And if any Perſon upon any Invaſion, or other Publique Military Service, be Wounded or Diſabled, he ſhall be Cured and Maintained out of the Publique Revenue, and if any Perſon whatſoever ſhall be Sued, Moleſted, or Impleaded, for any thing Lawfully commanded in the Execution and Purſuance of this preſent Act, he ſhall plead the General Iſſue, and give this Act in Evidence, and ſhall thereupon, if found for him, recover Coſts of Suit and treble Damages.

*Once every Year, the Officer ſhall give in Muſter Rolls; Offenders againſt Superior Officers ſhall be puniſht by Court Marſhal, the Orders whereof ſhall be Binding; they that are hurt in Publick ſervice, ſhall be Cured at the Publick Charge, and they that are troubled for any thing done by this Act, ſhall bring it in evidence.*

And be it further Enacted by the Authority aforeſaid, That upon every Apprehenſion and appearance of any Publique danger or Invaſion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Conſent Cauſe and Command the Articles of War to be Proclaimed at *Port-Royal* and St. *Jago de la Vega*, from which ſaid Publication the Martial Law is to be in Force, that then it ſhall and

*On eminent danger the Commander in Chief, ſhall put the Marſhal Law in Execution,*

and may be Lawful for the ſaid Commander in Chief to Command the Perſons of any of His Majeſties Leige People, as alſo their Negroes, Horſes, and Cattle, for all ſuch Services as may be for the Publick Defence, and to pull down Houſes Cut down Timber, command Ships and Boats, and Generally to Act and do with all full Power and Authority, all ſuch things as he and the ſaid Council of War ſhall think Neceſſary and Expedient for His Majeſties Service and Defence of this Iſland: *Provided* always and it is the true Intent & meaning of this Act, that as ſoon as the Common Law revives and is in Force, the ſaid Negroes, Servants, Cattle, Ships or Boats, ſo Imployed as aforeſaid, be immediatly diſcharged; and to the end it may be certainly known, when the Martial Law ceaſeth, and the Common Law taketh place, It is hereby declared, that upon Lodging the Colours, and diſcharging the Souldiers from their Arms, the Martial Law ceaſeth and the Common Law revives and taketh place. *Provided* alſo that the Marſhal or his Deputy ſhall not preſume to arreſt, any ſuch Souldier, within one Month after every ſuch diſcharge, nor in the time of his going or coming, to or from the place of Exerciſe, or Rendevous, under the Penalty of Ten pounds, and of being further liable to an Action of falſe Impriſonment; and in caſe of any ſuch Arreſt, it ſhall be Lawful for the reſpective Captain, or other Commiſſion Officer to releaſe any of his or their Souldiers ſo Arreſted.

*and ſhall Command all things for the Publick Defence,*

*by advice of a Council of War,*

*which ſhall be diſcharged when the Common Law revives,*

*and that ſhall be when the Colours are Lodged;*

*But none ſhall be arreſted in one Month after ſuch diſcharge,*

*on Penalty of 10l.*

*and the Officer may releaſe his Souldier.*

And it is hereby further Enacted and Ordained by the Authority aforeſaid, That if upon any Alarm or Invaſion any Perſon or Perſons whatſoever ſhall ſuffer either by the Landing of an Enemy, or drawing together His Majeſties Forces of this Iſland, all ſuch Damage or Damages whether in Servants Negroes, Horſes, Cattel, or in the Labour of any of them, or in the expence of Proviſion, or by Fire, or by any other Loſs whatſoever, that may Accrue by the means aforeſaid, that then upon due application and Proof thereof made unto the Governour and Council, the ſaid Damages ſhall be reaſonably Valued, and forthwith paid out

*All damages ſuſtained by an Invaſion &c.*

*ſhall be paid out of the Revenue,*

out of the Publick Revenue; and that if there be no Money there, the Governour and Commander in Chief do forthwith call an Aſſembly, and recommend to them all Caſes of the like Nature, ſo that Money may be Legally raiſed for the Publick Diſburſements, and every one receive juſt and equal ſatisfaction for their loſſes

*but if there be no ſtock to ſatisfie,*

*an Aſſembly ſhall be called and Mony raiſed.*

*Provided* always, and it is hereby Enacted and declared by the Authority aforeſaid, That the ſeveral Fines and Forfeitures Mentioned in this Act, and not Declared in what manner they ſhall be recovered, and how diſpoſed of, that all ſuch as do Relate to any Perſon under the degree of a Captain, ſhall be to the reſpective Captains to Defray the Charge of their Companies or Troops, and to be Levyed before the next Exerciſing day, by diſtreſs and Sale of the Offenders Goods by the Captains Warrant to the Serjeant or Corporal, and if no Diſtreſs be found, the Puniſhment to be by Riding the Wooden Horſe, or being tyed Neck and Heels, not exceeding an Hour at the diſcretion of their Officer, but if the offender be a Servant the Owners Goods ſhall be lyable to the Diſtreſſes and Sales as aforeſaid, ſo that Satisfaction may be made; and for all other Penalties mentioned in this Act, the ſame ſhall be levyed by Diſtreſs and Sale of the Offenders Goods and Chattels by the Proveſt Marſhal by Warrant from the Commander in Chief one half thereof ſhall be to Our Soveraign Lord the King, His Heirs and Succeſſors for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, and the other half to the Informer.

*All Fines made by this Act,*

*and not diſpoſed of,*

*ſhall be to the Captains,*

*and levied by the Captains Warrant,*

*if a Servant,*

*the Owners Goods ſhall be lyable,*

*all other Fines*

*one half to the King,*

*one half to the Informer.*

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful for any Commiſſion Officer belonging to the Regiment on *Port-Royal* under the degree of a Captain, in the abſence of the ſaid Captain from off the Point, to Grant Warrants of diſtreſs againſt any Perſons whatſoever that ſhall Abſent themſelves from their Duty on the night Guards, without ſending a ſufficient Perſon to

*Any Commiſſion Officer on Port-Royal,*

*may grant Warrants of diſtreſs,*

*againſt any that neglect their duty.*

ſerve and Watch in their Stead, which ſaid Warrants ſo Granted ſhall be as Effectual to all Intents and Purpoſes whatſoever, as if they or any of them had been granted by the Captains themſelves.

*No Boats ſhall paſs Fort Charles, without giving notice to the Captain, on Penalty of 20s.*

And be it likewiſe Enacted by the Authority aforeſaid, That no Wherry, Ships Boat or Canoa, ſhall at any time paſs the Fort at *Port-Royal* under the Penalty of Twenty Shillings to be recovered by Warrant from any Juſtice of the Peace, without giving Notice to the Captain of the ſaid Fort, or whoſoever ſhall Command in Chief therein in his Abſence; which ſaid Notice ſhall be ſufficient Leave to paſs the ſaid Fort, without any further Charge or trouble whatſoever, unleſs the ſaid Captain or other his Subordinate Officer have reaſonable cauſe to ſuſpect the Perſon ſo deſiring leave, to have ſome evil deſign in going off with, or carrying off any Perſons contrary to Law, in which Caſe it ſhall and may be Lawful for the ſaid Captain or his aforeſaid Officer to hinder their departure out of the Harbour until the ſaid Captain or Officer be ſatisfied of the Lawfulneſs of their occaſion, any Act, Cuſtom, or Uſage, to the contrary notwithſtanding.

*But if the Captain ſuſpect any Boat, he may ſtop it.*

*None are to fire any ſmall Arms after 8 at Night, unleſs on an Alarm, which 4 Muſkets ſhall make; they that Offend in either, ſhall be Puniſht by a Court Marſhal.*

Be it alſo further Enacted by the Authority aforeſaid, That no Perſon whatſoever preſume to Fire any ſmall Arms after eight of the Clock at Night, unleſs in caſe of an Alarm, Inſurrection, or other lawful occaſion, and in either of the ſaid Caſes Four Muskets or ſmall Arms diſtinctly Fired ſhall be taken for an Alarm from Quarter to Quarter; and every Perſon that ſhall be duly convicted before a Regimental Court Marſhal, of neglecting his Duty in taking and giving forward any Alarm by Firing Four Muskets or ſmall Arms as aforeſaid, or ſhall be Guilty of Firing any ſmall Arms after Eight of the Clock at Night, unleſs as aforeſaid, ſhall be Fined, or otherwiſe puniſhed at the diſcretion of a Court Marſhal, not extending to Life or Limb.

*The Tranſgreſſor ſhall be ſecured by the next Officer,*

And whoſoever ſhall be found to be a Tranſgreſſor herein, by the next Commiſſion Officer under Penalty

nalty of Five Pounds be cauſed to be Apprehended, and ſent under a Guard to the next Marſhal, who is hereby obliged under Penalty of Twenty Pounds to receive and ſecure the ſaid Offender until he ſhall be Tryed or Diſcharged by a Court Marſhal as aforeſaid. *on Penalty of 5l.* *and kept by the Marſhal on Penalty of 20l.*

And for the better Prevention of Falſe Alarms, That no Captain, Maſter, or Commander of any Ship, or Veſſel, Riding at Anchor in the Harbour of *Port-Royal* or any other *Bay* or Harbour, or any other Perſon, Fire any Gun after Sun ſet, under Penalty of Forty Shillings for every Gun ſo Fired, to be Levyed by Warrant from the Chief Officer not under the Degree of a Captain, who is hereby Impowered to Adminiſter an Oath and give Judgment thereupon by Diſtreſs or Sale of the Offenders Goods, and for want of Diſtreſs the ſaid Chief Officer is hereby Impowered to Commit ſuch Offender to Goal, there to remain until payment of the ſame; and that in Caſe the ſaid Chief Officer ſhall not perform his Duty therein, he ſhall forfeit Ten Pounds, to be levyed by Warrant from the Governour or Commander in Chief for the time being; *Provided* always that this Clauſe ſhall in no ways concern or extend to any Captain, or Officer of any of His Majeſties Ships of War for their Firing of one Gun for the ſetting of the Watch. *None ſhall Fire any great Guns after Sun ſet,* *on Penalty of 40s. for each,* *to be levyed by the Chief Officer,* *in which if he fails, he ſhall Forfeit 10l.* *this not to extend to his Majeſties Ships of War.*

*Provided* always and it is hereby further Enacted and declared by the Authority aforeſaid, That nothing in this Act contained be expounded, conſtrued, or underſtood, to diminiſh, alter or abridge the power of the Governour or Commander in Chief for the time being, but that in all things, and upon all occaſions, he may act as fully and freely as Captain General and Chief Governour, to all Intents and Purpoſes, as if this Act had never been made, any thing in this Act to the contrary notwithſtanding. *Nothing in this Act to abridge the power of the Captain General.*

*Provided* alſo, And it is hereby Enacted and Declared by the Authority aforeſaid, That nothing within this Act, or any clauſe therein contained ſhall be deemed,

*Nor give him Power to send any off this Island,*

deemed, conſtrued or underſtood, to give any Captain, General or Commander in Chief, any Power or Authority for the ſending any Perſon or Perſons off this Iſland againſt their will, or to do any other act or thing contrary or repugnant unto the known Laws of *England* or this Iſland.

*or do any thing againſt the known Laws.*

## An ACT

### *For prevention of Law Suits.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, And it is hereby Enacted and Ordained by the Authority of the ſame, That all Poſſeſſions of, or Titles to any Lands or Houſes whatſoever, derived by or from any Sales, for Valuable conſiderations made either by the Provoſt Marſhals, Creditors, or by the Executors, or Adminiſtrators, of any Perſons Deceaſed, or by the Husbands in Right of their Wives, or by the Endorſements or Delivery up of Patents, or by any Decrees in Chancery, or by any Laſt Wills and Teſtaments, or by any Patent Granted upon Judgment given in Writs of Eſcheat or *Ceſſavit*, and the ſaid Perſon, or any claiming under them now being in Poſſeſſion of the ſame, be by this preſent Act Ratified, Confirmed, and Declared good and Legal to all Intents and Purpoſes whatſoever; *Provided* always that ſuch Poſſeſſors or Purchaſors, their Heirs, or Aſſigns, have or ſhall continue in quiet or peaceable Poſſeſſion of the ſame, for the ſpace of Seven Years without any Claim or Interruption, and the ſaid Sales, Patents, Decrees, and Poſſeſſions, as aforeſaid, to be a perpetual Bar againſt all manner of Perſons Claiming, or to Claim, any Right or Title by Deſcent, Purchaſe, Marriage, or Limitation, for or by reaſon of any former Grant, Gift, Patent or Conveyance, any Law, Cuſtom, or Uſage, in any wiſe to the contrary notwithſtanding.

*Titles to Lands,*

*on Valuable Conſideration, made by the Marſhal, &c.*

*are Confirmed,*

*if the Poſſeſſors continue ſeven Years in them without Interruption.*

And

And it is hereby Enacted and Declared by the Authority aforeſaid, That in all Writs of Eſcheat hereafter to be Granted, the Provoſt Marſhal be commanded to Inquire by a Jury of Twelve Free and Lawful Men upon their Oaths, (they then being upon the Premiſes) the true Value of all and ſingular, the Real Eſtate, which any Perſon ſo Dying without Heirs, was at the time of his Death Seized of, and that after Office found and returned into the Supreme Court and Judgment hereupon given and Recorded, It be Lawful for the Governour for the time being, or in his abſence, the Commander in Chief, to paſs any Grant of the ſaid Eſcheated Eſtate, under the Broad Seal of this Iſland. *Provided* that a Clauſe be therein Inſerted, that the ſaid Grant ſhall determine and be Void, in caſe any Right Heir appears and Claims the ſame, and Legally approves himſelf to be Heir within Three Years after the Date of the ſaid Patent, and that the Value of the ſaid Eſcheated Eſtate, as it was Appriſed at, ſhall be ſecured to be paid in to the Treaſury of this Iſland, after the Expiration of Three Years from the Date of the Patent, (If no Heir in the mean time ſhall Obtain the ſame,) by ſuch Perſon or Perſons to whom the Governour or Commander in Chief, as aforeſaid, ſhall by Patent under the Broad Seal of this Iſland grant the ſame, and that the Treaſurer or Receiver, be hereby required to pay or cauſe to be paid, the Sum or Sums of Money the ſaid Eſcheated Eſtate was Valued at out of the Treaſury, unto or for the Uſe of ſuch Heir, who ſhall Claim the ſame, and Approve Himſelf to be Heir, before any other Payment whatſoever, which Proof of the Heirs Title ſhall be made by any publick Atteſtation, or otherwiſe, as ſhall be believed, to be Evidence by the Judges and Jury; to be recovered at any time without Limitation.

*In Writs of Eſcheat,*

*the Marſhal ſhall enquire by a Jury the true Value of the Eſtate,*

*on which a Grant ſhall paſs;*

*Provided it ſhall be Void,*

*if the right Heir appear in three Years,*

*and a Clauſe inſerted that the value be ſecured to be paid in 3 Years in to the Treaſury,*

*and thence to the right Heir;*

*before any other Payment;*

And be it further Enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever, heretofore made, or that hereafter ſhall be made, by Husband and Wife, and acknowledged before the

*All Bills of Sale made and acknowledged*

*before any of the Judges and Recorded, ſhall be good in Law.*

Judge of any Court of Record within this Iſland, and duly Recorded, ſhall be good and Valid in Law againſt all Perſons whatſoever, that can or may pretend to Claim any Eſtate in the Lands or Tenements ſo conveyed, to all Intents and purpoſes whatſoever, as if the ſame had paſſed by Fine and Recovery in any of his Majeſties Courts of *Weſtminſter.*

*Where Improvement is made on Eſcheated Lands, the Heir ſhall pay the Charges,*

*and Intereſt.*

*Provided* always that where any true and Valuable, Improvement is made on ſuch Eſcheated Land by the Patentee or Patentees during the ſaid Three Years, that ſuch Heir before his Entring upon the ſame ſhall ſatisfie and pay unto ſuch Patentee or Patentees, all ſuch Charges, as the Chancellour for the time being ſhall judge to be reaſonably Expended, together with the Intereſt of the ſame, according to the Cuſtom of this Country, any thing herein contain'd to the Contrary notwithſtanding.

## An ACT

### *For Eſtabliſhing Courts, and directing the* Marſhals *Proceedings.*

FOr the better and more Orderly Regulation and Eſtabliſhment of the ſeveral Courts of Juſtice within this Iſland, as well in reſpect of the time as place for holding the ſame, and alſo directing the Marſhals Proceedings, Be it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame,

*The Judges of the Supream Court.*

That the Judges of the Supream Court of Judicature for the time being, are hereby fully Impowered and Authorized to have Cognizance of all Pleas, Civil,

*have Power of all Pleas,*

Criminal, and Mixt, as fully and amply, to all intents and purpoſes whatſoever, as the Courts of Kings Bench, Common Pleas and Exchequer within His Majeſties Kingdom of *England*, have or ought to have;

*and ſhall keep Court at St. Jago,*

and the ſaid Court ſhall be duly and conſtantly kept

kept at the Town of St. *Jago de la Vega* and not elſe where, once every three Months, and not oftner, and that there be Five Judges at the leaſt appointed to hold the ſame Court, three whereof to be a *Quorum*, and that the ſeveral Inferior Courts of Common Pleas eſtabliſhed, or that ſhall be Eſtabliſhed in the ſeveral Precincts of this Iſland, ſhall have Juriſdiction over all Cauſes wherein any Free-hold is not concerned, to the Value of Twenty Pounds with Coſts and no more, and that the ſame be held and kept at the ſame time and in the ſame place of the reſpective Precincts, where the Juſtices of the Peace ſhall hold and keep the Quarter Seſſions once every three Months, and that none of the ſaid Courts be kept oftner, nor in any other place or manner than is hereby declared.

*once every 3 Months;*

*the Inferior Courts*

*ſhall hold Pleas of 20l. and no more;*

*and held once every 3 Months.*

*Provided* always and it is hereby Enacted by the Authority aforeſaid, that in reſpect *Port-Royal* is the Chief Seat of Trade within this Iſland, and it is found by Experience that a quicker and more ſpeedy diſpatch of all Maritim and Merchandizing affairs give the greateſt ſatisfaction to all Parties concerned, it ſhall and may be Lawful for the Judg or Judges of the Court there Eſtabliſhed, to hold and keep the ſame once every two Months and not oftner, and that it ſhall and may be Lawful for the Chancellour here for the time being upon application made to Grant Juſtices to any of the Inferiour Courts, within this Iſland, any thing herein contained to the contrary notwithſtanding.

*The Judges of the Court at* Port-Royal

*may hold Court every 2 Months,*

*the Chancellour may Grant Juſtices unto the Inferior Courts.*

And be it further Enacted by the Authority aforeſaid, That it ſhall not be Lawful for any Perſon or Perſons whatſoever Appointed, Elected or Choſen, to be a Judge or Judges of the aforeſaid Courts, to Execute or Officiate his or their ſaid Place or Office, until ſuch time as he or they ſhall reſpectively take the Oaths of Allegiance and Supremacy in open Court; and that none of the ſaid Judges directly nor indirecty ſhall ask, demand, or receive any other profit, benefit or advantage, from any of the Clarks of the ſaid Courts, or other Perſon whatſoever, under colour

*None ſhall be Judge in any of the Courts,*

*till they have taken the Oaths,*

*nor ſhall receive any Profit from the Clarks, &c.*

*but what is allowed by the Laws,*

or

or pretence of ſuch their Place, Office or Authority, but what is allowed them by the Acts of this Iſland, under the Penalty of Five Hundred pounds of Currant Money of this Iſland.

*on Penalty of 500l.*

And be it further Enacted by the Authority aforeſaid, That all and every of the Judges of the ſeveral Courts before mentioned, be and are hereby ſufficiently Empowered to make, order and eſtabliſh all ſuch Rules, and Orders for the more orderly practiſing and proceeding in their ſaid Courts, as fully and amply to all Intents and purpoſes whatſoever, as all or any of the Judges of the ſeveral Courts of the Kings Bench, Common Pleas, and Exchequer in *England* Legally do; and that no Councillour or Attorney be ſuffered to practiſe in any of the ſaid Courts, until they be firſt admitted by the ſame, and have taken as well the Oath of an Attorny, as the Oaths of Allegiance and Supremacy under the Penalty of Twenty pounds of Currant Money of this Iſland; and whatſoever Councillor or Attorney ſhall by negligence or ignorance miſtake his Clients Cauſe, and Imperfectly lay his Action or ill Draw the Declaration, whereby the Client ſhall ſuffer a Nonſuit, he or they ſo offending ſhall be lyable by Rule of Court, without any other Proceſs or courſe of Law whatſoever, to pay unto the party aggrieved full Coſts of Suit. And to the end that no Perſon ſhall be Damnified by miſtake of his Lawyer, for matter of Form only, Be it Enacted and Declared by the Authority aforeſaid, That the Judges ſhall at all times on Motion made in Court, order Amendments, and ſhall not upon Arreſt of Judgment or Writ of Errour for matter of Form only, reverſe any Judgment whatſoever: And be it Enacted and Declared by the Authority aforeſaid, That no Action of Waſt ſhall be permitted to be brought or allowed to lie within any Court of this Iſland, and that no Free-holder whatſoever, being of known Reſidence, ſhall be Arreſted by any Proceſs out of any of the ſaid Courts upon the Penalty of Twenty pounds Currant Money to be paid by the Plaintiff to the Party

*The Judges ſhall make rules and Orders in their Courts;*

*and no Counſillour to Practice there till admitted,*

*and has taken the Oaths.*

*on Penalty of 20l.*

*and if by Ignorance of the Attorney, &c.*

*the Client loſe his Cauſe,*

*the Attorney ſhall pay the Coſts:*

*The Judges may order Amendments, and ſhall not for Form only reverſe a Judgment.*

*No Action of Waſt ſhall lye in any Court, nor Freeholder Arreſted, on Penalty of 20l.*

Party ſo Arreſted, and what Action or other proceeding whatſoever ſhall be entred, ſued, had, made, or proſecuted thereupon, contrary to the true intent and meaning thereof, ſhall and is hereby declared to be void and of no Effect to all intents and purpoſes whatſoever: And that no Suit be had or Proceſs taken out of the Supream Court of Judicature for any matter or Cauſe of Action under the Value of Twenty pounds Currant Money of this Iſland, upon the Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the ſaid Action, but that the ſame be tryed in the Court of the Precincts, where ſuch Cauſe of Action doth ariſe: *Provided* that both Parties reſide there, and that the Inhabitants and Reſidents in St. *Catharines*, St *Dorothy's* St. *Thomas* in the *Vale*, and St. *Johns*, Sue as formerly in the Supreme Court for any Sum whatſoever, until they ſhall have Petty Courts Erected in their own Pariſhes, any thing in this Act to the contrary notwithſtanding.

*No Proceſs out of the Grand Court for Action under* 20l. *on Penalty of* 20l. *except theſe Pariſhioners, until they have Inferior Courts.*

And it is further Enacted by the Authority aforeſaid, That in all and every the Inferiour Courts within this Iſland, upon Summons duly ſerved, and the Defendant not appearing, Judgment ſhall go by default in the ſame manner and form, as in the Supreme Court; *Provided* always that it is the true Intent and Meaning of this Act, that as well in the Supreme Court as any other the Inferiour Courts within this Iſland, the Provoſt Marſhal or his Lawful Deputy ſhall appear in open Court and there depoſe upon Oath, that the Party or Parties againſt whom Judgment ſhall go by default, hath been legally Summoned Fourteen Days before the ſaid Court, any thing in this Act or any other to the contrary notwithſtanding.

*In the Inferiour Courts, Judgment ſhall go by default; Provided proof be made, that the Parties were legally Summoned.*

And it is likewiſe Enacted and Ordained by the Authority aforeſaid, that upon any Declaration exhibited in debt upon ſpecialty or Bill under hand, or in caſe of a book Debt upon a *Conceſſit Solvere* and diſcloſing the ſpecial matter to the Chief Judge of the Supream Court of Judicature, that the ſaid debtor

*Any Debtor that is gone off, on diſcloſing the matter to the Judge,*

againſt whom the Plaint is entred, is either gone off this Iſland, or that upon proceſs already taken out againſt him, a *Non eſt Inventus* hath been returned, an Attachment ſhall then Iſſue, thereby commanding the Provoſt Marſhal, or his lawful Deputy to attach ſuch Moneys, Goods, Chattels, or Debts in the hands of the Poſſeſſors of the ſame, be they Attorney, Wife, Servant or any other Perſon, and alſo require them to appear at the next Court, to ſhew Cauſe, why the ſaid Money, Goods, Chattels or Debts, or ſo much thereof as will ſatisfie the ſaid Debts then demanded, ſhould not be delivered to the Plaintiff; at which Day, if the ſaid Poſſeſſor or Debtor, be they Attorney, Wife, Servant, or other Perſon, as aforeſaid, be convicted by Confeſſion, Verdict, or otherwiſe, that the ſaid Moneys, Goods, Chattels or Debts do properly belong to the perſon ſo gone off this Iſland, or otherwiſe abſented himſelf as aforeſaid, and if the Plaintiff before or after due proof made, do ſolemnly ſwear in open Court, that his Debt is true, and that directly or indirectly no part or parcel of what he demanded is ſatisfied, and alſo give in Security in double the Sum he demands, to reſtore the ſame with treble Dammages, or ſo much thereof as ſhall at any time afterwards be diſproved, that then and in all ſuch Caſes the Plaintiff ſhall have Judgment to recover the ſaid Debt out of the ſaid Money, Goods, Chattels or Debts ſo attached as aforeſaid.

*he ſhall grant an Attachment,*

*againſt his goods and Chattels,*

*in whoſe hands ſoever,*

*and on conviction, and the Plaintiff ſwearing the Debt is due,*

*and no part paid,*

*and giving ſecurity to reſtore if diſproved,*

*he ſhall have Judgment.*

*Provided* always, That if any will appear as Attorney to the ſaid Debtor, and put in Bail to anſwer the Action and pay the Condemnation, that then and in all ſuch Caſes the Attachment on the ſaid Money, Goods, Chattels or Debts ſhall be diſſolved, and Proceedings had according to the Cuſtom of the Common Law; but if the Poſſeſſor or owner of ſuch Money, Goods, Chattels or Debts, be they Attorney, Wife, Servant, or other perſon, as aforeſaid, ſhall after Attachment ſo laid on them in the reſpective hands, diſpoſe of the ſaid Money, Goods, Chattels, or Debts, towards the payment of any other Debts, before the ſaid

*But if any appear for the Debtor,*

*the Attachment ſhall be diſſolved.*

*But if any in whoſe hands Goods or Money is Attacht,*

ſaid Debt, for which the Attachment was laid, be ſatisfied, or the ſaid Attachment be diſſolved, that then and in all ſuch Caſes the ſaid Party, for ſuch their Default, ſhall be liable to make ſatisfaction to the Plaintiff out of their own proper Eſtates.

*ſhall part with it before the Attachment be ſatisfied or diſſolved, they ſhall make ſatisfaction.*

And be it further Enacted and Ordained by the Authority aforeſaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Juſtice of the Peace, that the Debtor againſt whom he complaineth is gone off this Iſland, or otherwiſe abſented himſelf, that then it ſhall and may be lawful for the ſaid Juſtice of the Peace to iſſue out a Warrant of Attachment to be levied by the Conſtable, in manner and form as is before preſcribed, to the Provoſt-Marſhal for the Execution of the Writ, and to be immediately determined by the ſaid Juſtice, any Clauſe in this Act or any other to the contrary notwithſtanding.

*All Debts of this kind not above 40s.*

*ſhall in the ſame manner be recovered by the Juſtice of the peace.*

And be it further Enacted and Ordained by the Authority aforeſaid, That all Summons and other Proceſs hereafter mentioned ſhall be ſerved and executed in manner and form, as is herein directed, and in no other manner or way whatſoever, (that is to ſay) That all Summons as well from the Supreme Court as all other the Inferiour Courts within this Iſland, *Port-Royal* only excepted, ſhall be delivered to the Party, or left at their reſpective Dwellings fourteen days before the ſeveral Courts by a ſworn Marſhal, and that at *Port-Royal* all Summons ſhall be delivered ten days before the Courts, otherwiſe it ſhall be deemed and taken as no Service, and the Defendant not bound by it to appear; and that all Replevins, Foreign Attachments at the Supreme Court and Warrants of Arreſt be ſerved at any time as heretofore; and that no Execution ſhall be taken out, ſerved or executed until Twenty Eight Days be fully expired after Judgment, except at *Port-Royal*, where Execution ſhall iſſue Ten Days after Judgment obtained; and that no Negroes, Horſes, or any manner of Utenſils belonging to a Plantation, Brick or Pot-work, nor any other

*All Proceſs ſhall be ſerved as here directed,*

*viz. 14 days before the Courts for Summons,*

*except at Port-Royal which ſhall be 10 days,*

*and Executions 28 days after Judgment.*

*except Port-Royal which ſhall be 10 days; no Utenſils ſhall be taken where Goods are offered.*

Negroes

Negroes whatſoever, from and after the making hereof ſhall be taken in Execution, where the Party againſt whom the Execution is obtained, ſhall offer Goods for ſatisfaction of the Debt and Coſts of Suit.

*The Defendant ſhall have liberty to carry his Goods to a Market, and there ſell them, acquainting the Marſhal therewith.*

And it is further Enacted, That the ſaid Defendant who hath his Goods taken upon Execution ſhall have free liberty to convey and carry off the Goods ſo taken at his own proper Coſts and Charges to the next and moſt convenient place and Market for diſpoſal of the ſaid Goods, and there ſhall have free power and liberty to make Contracts, bargain for and ſell the Goods ſo taken in Execution, the Defendant firſt acquainting the Marſhal who levied the execution upon the Goods, with ſuch Bargain or Contract, to the end the Marſhal may deliver the ſame, and receive the Produce thereof according to his Precept.

*But if the Defendant delay it, then the Marſhal may ſell the Goods.*

And it is further Enacted by the Authority aforeſaid, That if the Defendant, after his Goods ſhall be ſo taken in Execution as aforeſaid, ſhall delay or neglect ſelling or diſpoſing of the Goods until ten days before the next enſuing Court, that then and in all ſuch Caſes, it ſhall and may be lawful for the Marſhal to take the ſaid Goods and Chattels of the Defendant, and the ſame to ſell by publick Outcry.

*But where Utenſils are taken in Execution, they ſhall remain in the Defendants hands, on which a* Venditioni Exponas *ſhall Iſſue.*

And it is further Enacted by the Authority aforeſaid, That where no ſuch Goods as aforeſaid ſhall be ſhewn and offered to the Provoſt-Marſhal, ſo that the Negroes, Working-Cattel, or neceſſary Utenſils muſt be taken in Execution, that then and in all ſuch Caſes the ſaid Negroes, Horſes or Utenſils ſhall not be removed, but remain ſtill in the Defendants poſſeſſion, and that upon the Marſhals return at the ſame Court as aforeſaid, that he hath levied ſuch Effects and left them in the Defendants hands, there iſſue out a *Venditioni Exponas*, without any charge of Mile-money, in theſe words following.

*The*

## The King to the Provoſt-Marſhal, Greeting,

WHereas *We lately commanded thee by Our Writ, That of the Goods and Chattels real and perſonal of* A. B. *Thou ſhouldeſt levy or cauſe to be levied.* *as alſo* *Coſts of Suit which* C. D. *hath recovered againſt him, By Vertue of which Writ thou didſt return unto Us, that thou hadſt taken in Execution of the Goods of the ſaid* A. B. *to the Value of the ſaid Debt and Coſts of Suit, which ſaid Goods remain in the Cuſtody of the ſaid* A. B. *by thee in form as aforeſaid taken, thou expoſe to ſale, and the Money thereof coming thou immediately render to the ſaid* C. D. *for his Debt or Dammages and Coſt as aforeſaid, but if the Goods aforeſaid ſhall be imbezell'd or made away, or that the ſaid* A. B. *doth not deliver the ſame, that then thou levy the ſaid Debts or Dammages and Coſts upon any other the Goods and Chattels of the ſaid* A. B. *and immediately expoſe them to ſale, and if thou canſt not find ſufficient Goods or Chattels, by which the whole Debt or Dammage and Coſts may be ſatisfied, that then you take the Body of the ſaid* A. B. *and him ſafely keep, ſo that thou have his Body before Us, at Our next Court, to ſatisfie the ſaid* C. D. *of the ſaid Debt or Dammages and Coſt, or ſo much thereof as by thee cannot be levied, and have thou then and there this Writ.* Witneſs, *&c.*

In this Precept to the Provoſt-Marſhal.

But if the Defendant make away the Goods, the Marſhal ſhall levy any other, or in want of Goods take the body of the Defendant.

By vertue whereof the ſaid Goods ſhall be ſold by publick Outcry at the next Court of the Precincts, where the Goods are taken, and if they are ſo arreſted or taken in the Pariſh of St. *Catharines*, St. *Dorothy's* St. *Thomas* in the Vale, or St. *John's*, until they ſhall have petty Courts of their own erected, Publication ſhall be then made at the ſame Court, that the Return is made, that the ſaid Goods ſhall be ſold

*The Goods ſo taken ſhall be ſold by Outcry.*

twenty Days after by publick Outcry in the Parade-place of St. *Jago de la Vega*; and the Money ariſing from the ſaid Sale ſhall not remain in the Marſhals hands, but be paid to the Plaintiff, or his Order within ten days, under the Penalty of half the Debt to be recovered by the Plaintiff to his own Uſe, in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed.

*and the Mony paid to the Plaintiff,*

*on Penalty of half the Debt,*

And it is further Enacted by the Authority aforeſaid, That where the Perſon againſt whom ſuch Execution is iſſued, hath not the Goods aforementioned in this Act by him to ſhew and offer to the Marſhal within the time preſcribed, that nevertheleſs the Marſhal ſhall not lay the Execution upon any Negroes, Working-Cattel, or Utenſil upon or belonging to any Plantation, Brick or Pot-work, or any other Negroes whatſoever; if the Defendant ſhew or deliver to him any other Stock or Cattel being in a Pen, the ſaid Cattel or Stock to be ſold by publick Outcry, upon *Venditioni Exponas*, to be iſſued as aforeſaid.

*Where the Defendant has not ſuch Goods,*

*the Marſhal ſhall not lay the Execution on Utenſils,*

*if the Defendant ſhew him any Cattel in a Pen.*

And it is further Enacted and Ordained by the Authority aforeſaid, That all Accidents that happen, whilſt the Goods that are taken in Execution, remain in the Defendants poſſeſſion, be born and made good by the Defendant, and that no property ſhall be by the Defendant transferred or made in or to any ſuch Goods that ſhall be ſo taken in Execution by vertue of this Act. *Provided* always and it is hereby further Enacted and Declared, That where the Body of the Defendant ſhall be taken in Execution, that nevertheleſs if any Effects afterwards appear, the Plaintiff may take out another Execution, and levy the ſame on the ſaid Effects, for ſatisfaction of the ſaid Debt, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

*All Accidents that happen to Goods whilſt in the Defendants hands, ſhall be born by the Defendant,*

*and tho the Defendants Body be taken,*

*yet if Goods can be found they may be levyed for Payment.*

And it is further Enacted by the Authority aforeſaid, That where any Priſoner or Priſoners under Execution, ſhall have nothing to maintain him, her or themſelves, that then he, ſhe or they diſcloſing the ſame

*Where Priſoners have nothing to maintain them,*

ſame upon Oath unto two Juſtices of the Peace of the Pariſh where he, ſhe or they, ſhall be Priſoners, and making it appear to the Judges of the Supreme Court, that he, ſhe or they, have given notice to all their Creditors ten days before the ſaid Court, that they or either of them intend to take the benefit of this Act, bringing likewiſe to the ſaid Court a Certificate of ſuch their Oath under the Hands and Seals of the ſaid Juſtices, that then the Priſoner or Priſoners ſo taken in Execution ſhall be publickly let to hire at the ſaid Court, the Marſhal receiving for his Fees a proportionable ſhare with the other Creditors, and the Money ſo ariſing from the ſaid Hire ſhall be paid to ſuch perſons, as the Court ſhall appoint, to be equally divided among the Creditors as aforeſaid, but in caſe any Creditors ſhall refuſe to conſent to letting the ſaid Priſoner or Priſoners to hire, that then ſuch Creditor ſhall pay or cauſe to be paid to the ſaid Priſoner or Priſoners Three Shillings and Six Pence Weekly. *Provided* always and it is hereby Enacted, That if any Priſoner or Priſoners ſo let to hire ſhall at any time afterwards come to have or enjoy an Eſtate, having not firſt ſatisfied their Debts, that then at all times hereafter the Judgment obtained againſt him, her or them, ſhall remain good and in force, and another Execution ſhall be taken out and levied againſt the Goods and Chattels of the ſaid Priſoner or Priſoners, whereſoever they ſhall be found.

*on Oath made,*

*they ſhall be let to Hire,*

*and what they gain equally divided amongſt the Creditors; but if the Creditors refuſe to let the Debtor be hired, they ſhall allow him* 3s. 8d. *per Week,*

*and if the Debtor ever come to an Eſtate, the Judgment ſhall be good, and he ſhall pay all his Debts.*

And be it further Enacted by the Authority aforeſaid That if the Provoſt-Marſhal by himſelf or any of his Deputies ſhall levy any Execution in any other manner than what is herein before declared, or ſhall ask demand or receive any Mile-Money for the Executing any Writ of Execution or *Venditioni Exponas*, ſhall forfeit One hundred Pounds currant Money of this Iſland for every ſuch Offence, to be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, the one Moity whereof ſhall be to Our Soveraign Lord the King, His Heirs and Succeſſors, for and towards

*If the Provoſt-Marſhal ſhall do otherwiſe then here directed, he ſhall forfeit* 100l. *for every Offence, one half to the King,*

*one half to the Party aggrieved.*

wards the ſupport of the Government of this Iſland, and the contingent Charges thereof, the other Moity to the party aggrieved.

*And the other Fines not already diſpoſed of,*

And it is further Enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures and Penalties beforementioned in this Act, and not declared how they ſhall be diſpoſed of, ſhall be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed,

*ſhall be one half to the King,*

the one Moity whereof ſhall be to Our Soveraign Lord the King, His Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland,

*one half to the Informer.*

and the Contingent Charges thereof, and the other Moity to the Informer, or he that ſhall ſue for the ſame.

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# An ACT

## *Appointing where the Laws of this* Iſland *ſhall be Lodged.*

*Preamble.*

*Whereas* no place hath been hitherto appointed for the lodging and ſecuring the Acts of this Iſland, ſo that his Majeſties Subjects have been at no Certainty where to find the ſame, and take Copies thereof to their great detriment and Inconvenciency; for remedy whereof for the future, Be it Enacted and Ordained by the Governour Council and Aſſembly, And it is hereby Enacted by the Authority of the ſame,

*After the end of the Seſſion,*

That from and after the end and determination of this preſent Seſſion, as well the Original Acts heretofore made and Enacted ſince the Seventeenth Day of *March*, in the Year of Our Lord One Thouſand Six Hundred and Eighty, as thoſe alſo herewith, or that ſhall hereafter be Enacted,

*all Acts now made or to be made,*

*ſhall be Lodged in the Secretaries Office at St. Jago de la Vega,*

ſhall be Lodged in the Secretaries Office at St. Jago de la Vega, and not elſewhere, and the Secretary for the time being ſhall at all Office Hours be ready to ſhew all or any of the ſaid Acts when thereunto required by any

of

of His Majeſties Subjects as may or ſhall have occaſion to View the ſame, and ſhall give Copies thereof, or any Clauſe in any of them contained, for which he ſhall be allowed Eight pence *per* Sheet accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line, and that he ſhall likewiſe be allowed for Comparing and Examining any Copy containing the whole body of the Laws, with the Originals, Forty ſhillings Currant Money and no more. And to the end His Majeſties Subjects may be fully ſatisfied no Embezelment, Razure, or Defacements of the ſaid Acts, or any of them ſhall for the future be Committed in the ſaid Office, it is Enacted and Ordained by the Authority aforeſaid, that the Secretary of this Iſland, or his lawful Deputy that ſhall Act in his Room or Stead ſhall give in bond with good and ſufficient Security to Our Soveraign Lord the King, His Heirs and Succeſſors, in the Penalty of Four Thouſand Pounds in the following Condition,

*who ſhall ſhew them and give Copies when requited,*

*at* 8d. *per ſheet,*

*and have* 40s. *for Examining the whole.*

*and that no Imbezalment or Razure be made*

*He ſhall give Security in* 4000l.

THE *Condition of this Obligation is ſuch, that if the above bound* A. B. *ſhall and do well and faithfully Execute and Perform the Offices and places of Secretary, and Clerk of the Enrolments for this His Majeſties Iſland of* Jamaica, *and alſo faithfully and truly keep and preſerve in his ſaid Office, all and every the Acts of this Iſland made ſince the ſeventeenth Day of* March, *in the Year of our Lord God One Thouſand Six hundred and Eighty, ſo that his Majeſties Subjects may have recourſe thereunto, and do in all things elſe comply with the Duty of the ſaid Offices according to the Truſt repoſed in him, and according to the Laws of this Iſland in ſuch Caſes made and provided, that then the above-written Obligation to be void and of none Effect, or elſe to remain in full force and vertue.*

*In this Form.*

*Provided* always that neither the ſaid Secretary nor his Deputy for the time being, do or ſhall from and after the Twentieth Day of *November* next enſuing, preſume to Act or Officiate his ſaid Office until he or they ſhall enter into the aforeſaid Bond, with the Condition before recited, upon Penalty of Five Hundred Pounds for every time he or they ſhall ſo Officiate or Act in his ſaid Office to be recovered in the Supream Court of Judicature in this Iſland, by Bill, Plaint or Information, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi*, ſhall be admitted or allowed, the one half to be to our Soveraign Lord the King, His Heirs and Succeſſors, for and towards the Support of the Government of this His Majeſties Iſland and the Contingent Charges thereof, and the other half to the Informer, or him that ſhall Sue for the ſame, any Law, Cuſtom or Uſage, to the contrary in any wiſe notwithſtanding.

*On Penalty of 500l. for every fault,*

*one half to the King,*

*one half to the Informer.*

*Provided* alſo and be it hereby Declared, That if the Secretary or his Lawful Deputy for the time being in this Iſland, ſhall enter into Bond as aforeſaid, which ſaid Bond ſhall be lodged as is appointed in an Act entituled an Act for Regulating Fees, That then it ſhall be accounted ſufficient to diſcharge him or them from entring into any other Bond, or Security required by the Acts of this Iſland, any thing herein or in any other Act to the contrary notwithſtanding.

*Which Bond and Security ſhall excuſe him,*

*from giving any other Security.*

At

WHich Laws having upon the perusal of the Right Honourable the Lords of the Committee of Trade and Foreign Plantations, been presented to His Majesty at this Board, His Majesty was graciously pleased (with the Advice of His Privy Council) to approve and confirm the same for the space of Seven Years, to commence from the First of October last preceding the Date hereof, And pursuant to His Royal Pleasure thereupon signified and expressed, the said Laws are hereby appoved and confirmed for the space of Seven Years accordingly.

JOHN NICHOLAS.

JOHN NICHOLAS.

AT THE

# COURT

AT

# WHITEHALL,

The 17th. of *April*, 1684.

PRESENT

*The King's Moſt Excellent MAJESTY.*

*Lord Arch-Biſhop of* Canterbury.
*Lord Keeper.*
*Lord Preſident*
*Duke of* Ormond.
*Duke of* Beaufort.
*Earl of* Huntingdon.
*Earl of* Sunderland.
*Earl of* Clarendon.
*Earl of* Bath.
*Earl of* Cravan.
*Earl of* Alisbury.
*Earl of* Nottingham.
*Earl of* Rocheſter.
*Lord Biſhop of* London.
*Lord* Dartmouth.
*Mr. Secretary* Godolphin.
*Mr. Chancellor of the* Exchequer.
*Mr. Chancellor of the* Dutchy.
*Lord Chief Juſtice of the* Kings-Bench.

WHereas *by His Majeſties Commiſſion, to Sir* Tho. Lynch, *Captain General, and Governour in Chief, of*

*of the Iſland of* Jamaica; *bearing date the ſixth day of* August, 1681. *His Majeſty has been graciouſly pleaſed to Authorize and Impower the* Governour, Council *and* Aſſembly *of the ſaid* Iſland, *to Conſtitute and Ordain* Laws, *which are to Continue and be in Force, till His Majeſties Pleaſure be ſignified to the Contrary, And forasmuch as certain* Laws *have in purſuance of the ſaid commiſſion, been tranſmitted unto His Majeſty, with the humble Deſire of the Council and Aſſembly, That His Majeſty would be pleaſed to Paſs the ſame in the Words following.*

## An ACT

### *Requiring all Maſters of Ships and Veſſels to give* Security *in the* Secretaries *Office.*

*Maſters of Ships before they Land any thing, except living Creatures, to wait on the Governor, and give Security;*

BE it Enacted by the Governour, Council and Aſſembly, and it is Enacted and Ordained, by the Authority of the ſame, That the Maſter of every Ship or Veſſel, or ſome other for him, in caſe of diſability, before he Trade within this Iſland, or Land any Goods on the ſame (living Creatures only excepted) ſhall wait upon the Governor or Commander in Chief, for the time being, and give in Security in the Secretaries Office, with one ſufficient Freeholder or well known Merchant, ſuch as by common Repute is held to be worth ſo much, in the Sum of One Thouſand Pound currant money of this Iſland; That he ſhall not carry off this Iſland any Perſon without the Governors Ticket; Nor Depart himſelf with his Ship or Veſſel, without the Governors Leave, under the Penalty of *Fifty Pounds*, currant money of this Iſland, to be recovered by due courſe of Law, in any Court of Record

*Not to carry any Perſon off without the Governours Ticket: Nor depart without Leave.*

Record within the ſame; one Third thereof ſhall be to our Sovereign Lord the King, His Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the Contingent Charges thereof, One Third to the Governour or Commander in Chief for the time being, and the other Third to the Informer, which Security, the Secretary of this Iſland for the time being, is hereby Impowered to take.

*Who are to have the Penalty.*

*The Secretary to take the Security.*

*Provided* always, and it is the true intent and meaning of this *Act*, That the Maſters of all Sloops, Barks and Veſſels, Trading to and from any Parts, Ports, and Harbours within this Iſland, or that ſhall be imployed in Turtling or Fiſhing, for the uſe of this Iſland, ſhall be obliged to give Security in the Secretaries Office but once every year, and that all Maſters of Sloops, Barques, and any other Veſſels belonging to the Inhabitants of this Iſland, Trading to and from this Iſland, ſhall be obliged to give Security, in manner and form as aforeſaid, but once in ſix months, any thing in this *Act* ſeeming to the contrary notwithſtanding.

*Maſters trading in and about this Iſland to give Security but once every Year.*

*And Traders belonging to the Inhabitants once in ſix Months.*

*And* be it further Enacted by the Authority aforeſaid That the Secretary of this Iſland for the time being, or his lawful Deputy, ſhall not deliver any Perſon a Ticket under the hand of the Governor to go off this Iſland, unleſs his Name have been ſet up in the Secretaries Office one and twenty days, a Liſt of which Names ſhall be duly ſet up in the Secretaries Office, both at St. *Jago de la Vega*, and *Port-Royal*, and that the ſaid perſon do bring before him one or more of good credit and repute to make Oath, which Oath any Juſtice of the Peace (except the ſaid *Secretary*) is hereby impowered to adminiſter; that he hath known him or her to go by that name for one year, if he or ſhe have been here ſo long, if not, then that he hath known him or her by that name ſo long as he or ſhe hath lived in this *Iſland*, and that the ſaid Affidavit be kept filed in the ſaid Office, otherwiſe that he take good ſecurity for the paying ſuch Perſons

*No Perſons to have Tickets till after their Names have been up in the Secretaries Office 21 days.*

*Oath to be made of the knowledg of the Perſon.*

*And filed in the Secretary's Office.*

*Which the Secretary is to observe under the Penalty of the damage.*

debts ſo departing, all which the ſaid Secretary is bound to obſerve under the penalty of being liable himſelf to ſatisfie all the Creditors of ſuch Perſon or Perſons, or Maſters or Miſtreſſes of Servants, ſo obtaining a ticket, or otherwiſe carried off by any Maſter of Ship or Veſſel that ſhall not have given ſufficient ſecurity according to the intent and true meaning of this Act, by which the aggrieved Perſon ſhall by vertue of this Act have remedy at Common Law againſt the ſaid Secretary, Deputy Secretary or his or their Security; *Provided* nevertheleſs that if the ſaid Bonds are not ſued within two years after their ſeveral dates, they are hereby declared *null* and *void* to all Intents and Purpoſes whatſoever. *Provided* always,& it is hereby declared to be the true intent and meaning of this Act, that the ſaid Bonds ſo given as aforeſaid ſhall be taken in the Kings name, but are hereby declared to be only to and for the uſe, and in truſt for the perſon or perſons concerned. And that when any of the ſaid Bonds ſhall be put in ſuit, and Judgment thereupon obtained, the Judgment ſhall remain in the ſame nature the Bonds were, and that no execution iſſue out thereupon before the perſon aggrieved ſhall by *ſcire facias* or other Proceſs, ſummon the perſon or perſons againſt whom the Judgment aforeſaid is obtained, to appear and ſhew cauſe why execution ſhould not Iſſue upon the ſaid Judgment; and if the Plaintiff in the ſaid *Scire facias* ſhall duely prove, what damages he hath ſuſtained, and thereupon a Verdict be found for him, the Judges ſhall in ſuch caſes award execution for ſo much as the Jury ſhall then find and no more, and the former Judgment is hereby declared ſtill to remain Cautionary for the ſatisfaction of ſuch other of his Majeſties Subjects as ſhall Legally prove themſelves damnified, and recover the damages as aforeſaid by due courſe of Law, and if any Judgments have been already obtained and thereupon execution taken out for the whole ſum mentioned in the Bond, that in ſuch caſes the ſaid Judgment remain in force, but that all Proceſs there-

*The Bonds to be ſued in two years after their dates, elſe to be void.*

*The Bonds to be in the Kings name, but to lye in truſt for the Perſons concern'd.*

*Judgments to remain in the nature of Bonds.*

*No Execution iſſue till the Party agriev'd ſummon the Parties againſt whom the Judgment is obtained.*

*But if then they Prove their damages they ſhall have Verdict. And the Judgment to remain for the ſatisfaction of others.*

thereupon do ſurceaſe and be ſtopt, and that no benefit he had of the ſaid Judgment before the *Scire facias* be taken out, and the Damages legally proved as aforeſaid.

*Provided* alſo, That the ſaid Secretary or his Deputy, be obliged to keep his Office both at *Port-Royal*, and St. *Jago de la Vega*, and give attendance at both places, from Eight to Eleven of the Clock in the morning, and from Two to Five of the Clock in the afternoon, except on *Sundays* and ſuch Holy-Days as are uſually obſerved in this Iſland under the Penalty of Twenty pounds, currant money of this Iſland, One moiety whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and Contingent Charges thereof, the other moiety to the Informer, to be recovered in any Court of Record by Action, Bill, Plaint or Information wherein no Eſſoign, Protection or Wager of Law ſhall be Allowed.

*The Secretary to have his Office at Port-Royal and St. Jago.*

*And give attendance except Sundays and ſome Holy-days, under Penalty of 20l.*

*To the King and Informer.*

## An ACT

### *For Regulating Fees;*

BE it Enacted and Ordained by the Governor, Council and Aſſembly, and it is hereby Enacted and Ordain'd by the Authority of the ſame, That the Eſtabliſhment of the Fees belonging to the Several Officers in this Iſland be as followeth.

*Fees ſhall be as followeth.*

### *That the Secretary's Fees be;*

FOr a Permit for every Veſſel that departs this Iſland, one Shilling.

*Permit.*

For every Bond entred into by an *Engliſh* Man not to carry any one off this Iſland, without the Governors Ticket, five Shillings.

*Bonds.*

For

For every bond as aboveſaid for an *Aliens* Ship, ten Shillings.

*Setting up a Name.* For Entring a Caveat, ſetting up a Name under writing, any perſon in the Office, or a Permit for a Veſſel to trade about this Iſland, each Six Pence.

*Ticket.* For a Ticket to depart this Iſland, Two Shillings and Six-Pence.

For taking a Bond obligatory One Shilling and Three Pence.

*Licenſe for Marriage.* For a Licenſe for Marriage, Sixteen ſhillings and Six-pence.

*Letters of Adminiſtration.* For letters of Adminiſtration, Warrant of appraiſment, Bond and filing the Inventory, Fourteen Shillings.

*Recording a Will.* For Recording a will of one ſheet Two Shillings and Six-Pence.

For every Sheet more, Eight-Pence.

*An order of Governour and Council.* For every Order of the Governor and Council, or Copy thereof, one Shilling and Three Pence.

*Licenſe to ſell Drink.* For a Licenſe to draw Drink, Sixteen Shillings and Six-Pence.

*Let paſs for a Ship.* For a let paſs for a Ship to depart, Five Shillings.

*A Proteſt.* For every Proteſt under Hand and Seal Six Shillings.

For every mile diſtance from St. *Jago de la Vega*, One Shilling.

For a Citation Two Shillings and Six-Pence.

*A Dedimus.* For a Dedimus Ten Shillings.

## *That the Fees of the Supream Court be;*

*Jury.* TO the Jury every Verdict Four Shillings.

*Writ.* For a writ of Summons, Arreſt, Replevin or forreign Attachment, each One Shilling and Three Pence.

*Declaration.* For Filing a Declaration and the Copy of it annexed to the Writ Two Shillings and Six-Pence.

A Bond for forreign Attachments, Arreſts, and Replevins, and upon no other writs Two Shillings and Six-Pence.

For a Replication or Rejoynder Two Shillings.

For

For entring a Common Plea Seven Pence Half-Penny.

For a Special Plea Two Shillings and Six-Pence.

For recording a Judgment One Shilling and Three Pence.

For a *Venire facias* Seven Pence Half-Penny.

For an *Habeas Corpus* by Order of Court Two Shillings and Six-Pence.

To the Clerk for receiving every Verdict and Continuance, each Seven Pence Half-Penny.

To the Judge for ſigning each Writ One Shilling and Three Pence. *To the Judge for the Writ.*

For a *Retraxit*, or *non Suit* recorded, each one Shilling.

For a Writ of Poſſeſſion, Seizin or Reſtitution, each Five Shillings and Six-Pence.

For an Execution or *Venditioni*, each Two Shilling Six-Pence.

For a *Subpœna* One Shilling and Three Pence.

For a *Recognizance* or Depoſition taken in Court, each One Shilling and Three Pence.

For Entring ſatisfaction upon record for *Superſedeas.*

For Taxing Coſts, each one Shilling and Three pence.

For a Commiſſion of reference to Auditors Five Shillings. *For a Commiſſion.*

For a Writ of Inquiry or *Scire facias* and returning the Record upon a Writ of Error, Two Shillings and ſix-pence.

For Filing each Warrant of Attorney Four Pence.

For entring a report of *Auditors*: And for an Exemplification of a Record, each five Shillings. *Exemplification.*

For every Judgment confeſſed out of the Court, to the Judge, Two Shillings Six Pence. *Judgment confeſſed out of Court, Declaration to be filed before Proceſs go out.*

*And* be it further Enacted and Ordained by the Authority aforeſaid, That no Clerk of the *Supream Court*, or any other Perſon who ſhall officiate the ſaid Office, do deliver out to any Lawyer, Attorney, Solicitor or other perſon, any Writ whatſoever until a declaration be firſt Filed in the Clerks Office, for the

*Except Arreſts or* Subpœnas. *On penalty of* 5l.

ſame, except Warrants of *Arreſts* and *Subpœnas* under the penalty of Five Pounds for every Writ ſo given out.

## *That the* Provoſt-Marſhal's *Fees be* ;

*Commitment.*

FOr every Commitment, and for every Releaſment either in Common Law or Chancery, each Two ſhillings ſix-pence.

*Dyet.*

For dyet as the priſoner can agree, or to find himſelf, or if the Priſon allowance *per* day, Six-Pence.

*Serving Writs in* St. Jago.

For Executing any Writs in the Town of St. *Jago de la Vega*, two ſhillings and ſix-pence.

*Aboard Ships.*

For an *Arreſt* aboard a Ship beſides Boat hire, Five ſhillings.

*Poſſeſſion,* &c.

For executing a Writ of Poſſeſſion, Seizing, Writ of Eſcheat, *Ceſſavit* or Aſſignment of Dower, each Ten ſhillings.

*As the Parties can agree, not exceeding* 5l.

For Summoning a Jury to Execute a Writ of *Eſcheat*, *Ceſſavit* or Aſſignment of Dower, as the Parties can agree with the Marſhal ; Provided it exceed not Five pounds.

*Return of a* Habeas Corpus.

For a Return of a *Habeas Corpus cum cauſa*, if in the Town of St. *Jago de la Vega*, two ſhillings and ſix-Pence.

*Attendance on a Priſoner.*

For his attendance on the Priſoner to any other place *per* day Four ſhillings.

*Special Jury* &c.

For ſummoning a Special Jury ſix ſhillings.

For the return of a *Venire facias* one ſhilling.

For every Bond with Suretys for appearance to be paid by the Defendant ſix-pence.

For Copy of a Warrant ſix-pence.

For allowance of a *Superſedeas* One ſhilling.

*Writs of enquiry,* &c.

For Executing all Writs of Enquiry, Writs of *Partition*, *Proprietate probanda*, *Forcible Entry*, Writs of Poſſeſſion, each Ten ſhillings.

*Serving proceſs,*

For ſerving every Summons at Common Law, *Subpœna* in Chancery, or forreign Attachments beſides Writ Money, Two ſhillings.

For his Fees upon each Verdict two ſhillings and ſix-pence.

For

For every Commitment in Chancery beſides the Perſons dyet *per* day two ſhillings. *Commitment in Chancery, &c.*

For each Licenſe to ſell drink ſixteen ſhillings and Eight-pence. *Licenſe to ſell Drink.*

For Levying a debt by Execution, for the firſt hundred pounds three pounds. *Levying Executions.*

For every hundred more exceeding the firſt, two pounds.

For all ſums under one hundred pound twelve-pence *per* pound.

And That he take no more Fees then for the Money that is really due to the Plaintiff without any pretence of Mile money or any other charge whatſoever. *And not to take Fees for more than is due to the Plaintiff.*

For an Aſſignment of a Bail Bond two ſhillings and ſix-pence. *Bail Bond Aſſigned.*

For diſburſing his money, for taking up runaway Negroes which are brought to Priſon, Two ſhillings and ſix-pence in the Pound. *Diſburſing Mony for Negroes.*

For dyet for every Negroe *per* day ſix-pence.

For executing every White perſon two Pound ten ſhillings. *Executing any white man.*

For executing every Slave one pound. *Every ſlave.*

To the Bailiff that keeps the Jury for every action tryed one ſhilling. *Bailiff Cryer, &c. their Fees.*

To the Cryer for every Witneſs ſworn ſeven-pence half-penny.

For ſerving all Proceſs iſſuing out of the Supream Court (*Subpœna's Executions & Venditioni's* only excepted) *per* Miles three-pence. *Mile Mony on ſerving Proceſs.*

Which Miles ſhall be accounted from the Supream Court to the ſeveral places where the Writ ſhall be ſerved according to common Computation.

*And* it is hereby enacted and ordered by the Authority aforeſaid, That the Clerk of the Supream Court, the Marſhal nor any other perſon whatſoever, ſhall hereafter for any action where the Verdict of the Jury ſhall amount to above twenty pound (except where Titles of Land are tried,) take any other or greater Fees then what are allowed in the Petty Courts of this Iſland under the penalty of one hundred *Clerk Marſhal &c. of the Grand Court to take but petty Court Fees in Actions not above 20l. except Titles of Land, under Penalty of 100l.*

dred Pounds Currant money to be recovered by action of Debt, in any Court of Record within this Iſland, wherein no *Eſſoign*, *Protection* or *Wager* of Law ſhall be allowed, one Moiety whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent charges thereof, and the other moiety to the Party aggrieved or them that ſhall ſue for the ſame.

*One half to the King the other to the Party aggrieved.*

## *That the Fees of Inferiour Courts be;*

*The Jury.* TO the Jury upon each Verdict two ſhillings.

*Summons, &c.* For a Summons ſix-pence.

For confeſſing Judgment out of Court, one ſhilling and three-pence.

For Copying and Filing a Declaration, each one ſhilling.

*To the Judge, Proceſs, &c.* To the Judge for ſigning any Proceſs, each one ſhilling.

For entring a Plea, Replication or Rejoynder, each one ſhilling.

For a *Capias* one ſhilling and ſix-pence.

For a Summons for a Jury ſix-pence.

*To the Clerk.* To the Clerk for Receiving the Verdict, and Entring Judgment, each one ſhilling.

For a *Retraxit*, *Non Suit* and recording the ſame, each one ſhilling.

For an Execution or *Venditioni*, each one ſhilling.

For *Scire facias* two ſhillings and ſix-pence.

For an Exemplification of a Record five ſhillings.

*To the Cryer.* To the Crier for every Verdict one ſhilling.

For *Subpœna* one ſhilling ſix-pence.

*Certifying a Record.* For certifying a Record upon a Writ of Error five ſhillings.

*A commiſſion.* For a commiſſion to, and return of the Auditors, each four ſhillings.

*A Bond on Arreſt, &c.* For every Bond taken upon a Warrant of Arreſt or Replevin, each one ſhilling.

For filing of a Warrant of Attorney four-pence.

To

To the Crier for every Witneſs ſworn ſix-pence.

For a Continuance each Court, and a Replevin, each one ſhilling.

For acknowledging ſatisfaction upon Record, and Taxing coſts, each one ſhilling.

*Provided* always, and it is hereby Enacted and Ordained by the Authority aforeſaid, that none of the inferiour Courts intermeddle with or determine any Actions whatſoever where Titles of Lands are to be determined, any former Cuſtom, or any Uſage to the contrary notwithſtanding. *The Inferiour Court not to meddle with Titles of Land.*

## *That the Fees of the Marſhals of the Inferiour Courts be;*

FOR the Return of *Cepi Corpus, Nulla bona, & Non eſt inventus*, each four pence.

For the Return of a Proclamation, one ſhilling.

For the Return of a *Habeas Corpus* two ſhillings.

For every name returned upon an Exigent four pence.

For a Return upon a Record upon a Writ of Error, two ſhillings.

For ſerving every Proceſs *per* Mile, three pence. *Proceſs per Mile.*

For ſerving a Replevin one ſhilling and ſix-pence.

For releaſe of a Felon one ſhilling and ſix-pence.

For every Commitment and realeaſment, each one ſhilling and ſix-pence.

## *That the Clerk of the Peace his Fees be;*

FOr drawing every Indictment two ſhillings ſix-pence. *Indictment, &c.*

For a *Superſedeas* and for every one indicted and acquitted of felony each two ſhillings.

For allowance of a *Certiorari* to remove an Indictment, or a Record, each five ſhillings.

For every Traverſe, two ſhillings.

For every Recogniſance taken in Court two ſhillings ſix-pence.

For an order of Court drawing it up and entring it three ſhillings.

For Copy thereof ſix-pence.

*License to ſell Rum.* For a Licenſe to ſell Rum, and Rum-punch, and for drawing the Bond two ſhillings ſix-pence.

## *That the Coroners Fees be;*

FOr an inquiſition taken upon the body of any perſon that came by an untimely death, to be paid out of the goods of the deceaſed, three Pounds.

To the Juſtices of the Peace for every Warrant one ſhilling and three pence.

For every Affidavit, Examination, *Mittimus* and Releaſe, each one ſhilling.

For every Recogniſance two ſhillings ſix-pence.

## *That the Fees of the* Great Seal *be;*

*Bill of complaint, anſwer &c.* FOr filing a Bill of Complaint, Anſwer or Demurrer, each one ſhilling and ſix-pence.

*Every 100. Acres of Land taken up.* For every hundred acres of Land taken up ten ſhillings, and ſo in proportion for a greater or Leſſer quantity.

Subpœna, *&c.* For ſealing a *Subpœna* or any other Proceſs out of Chancery ſix-pence.

*Recording all Proceſs.* For Recording and Copying a Bill, Anſwer, Replication, Rejoynder, Demurrer, Reports or other Proceedings eight pence *per* ſheet, accounting fifteen lines to a ſheet and eight words in a line.

*Filing a Replication, &c.* For filing a Replication, Rejoynder, or Surrejoynder, for each one ſhilling ſix-pence.

Subpœna *to anſwer.* For a *Subpœna* to anſwer, or for Witneſſes, three names in a *Subpœna*, each *Subpœna* two ſhillings, if more, *per* name ſix-pence.

*A Bond, Injunction, &c.* For a Bond one ſhilling and 3*d.*

For an Injunction two ſhillings and ſix-pence.

*A Commiſſion, &c.* For a Commiſſion out of Chancery ſix ſhillings eight pence.

For putting down a day of hearing one ſhilling and three pence.

For

For drawing and entring an Order, or Copying an Order, each one ſhilling three pence.

*A Decree.* For a Decree ſix ſhillings three pence.

If exceeding nine ſheets, *per* ſheet eight pence.

For Copying a Decree, if not above ſix ſheets, three ſhillings, if more, *per* ſheet Eight pence.

*Searching the Records.* For ſearching the Records or filing any papers, each one ſhilling.

*Oath before a Maſter in Chancery, &c.* For an Affidavit, or an Oath, to an anſwer before a Maſter of Chancery, each one ſhilling.

For allowing of Coſts one ſhilling three pence.

For filing exceptions to an anſwer or report, each two ſhillings ſix-pence.

For a Copy of a Report or Exception to an Anſwer each two ſhillings ſix-pence.

*An Attachment.* For an Attachment two ſhillings ſix-pence.

For an Attachment with Proclamation, ſix ſhillings three pence.

*Commiſſion of Rebellion.* For a Commiſſion of Rebellion twelve ſhillings ſix-pence.

## *That the Surveyers Fees be;*

*Surveying or Reſurveying.* FOr Entring the Order into his Book one ſhilling three pence.

For ſurveying or reſurveying two pence *per* acre.

For drawing the plat, one ſhilling three pence.

*In St. Jago, Port-Royal, &c.* For ſurveying every houſe or Land at St. *Jago de la Vega*, *Port-Royal*, *Paſſage-Fort*, or any other Bay or Harbour, if not exceeding one hundred and twenty foot Square, and ſo in proportion: For a greater quantity of foot Land ten ſhillings.

*The Clerk of the Warrants.* To the Clerk of the Warrants for drawing a Warrant for the Seal four ſhillings.

## *That the* Lawyers *Fees be;*

FOr a retaining fee five ſhillings.

For drawing a Declaration two ſhillings.

For a pleading fee five ſhillings.

*That*

## *That the* Naval Office *Fees be* ;

*Entring Ships.* For Entring of all Ships and Veſſels trading to this Iſland from abroad, for taking account of the Paſſengers names and for clearing the ſaid Veſſels, four ſhillings ſix-pence.

*Paſſengers names. Clearing.*

*Examining Certificaets about Bond given.* For Examining and Recording Certificates that Bonds are given according to the Acts of *Navigation* and *Trade*, five ſhillings.

*Taking Bonds.* For every Bond taken here not to break the ſaid Acts, with Duplicates of the ſame, five ſhillings.

*Examining Coquets, &c.* For Examining of all Coquets, Bills of ſtore and Certificates, of the freedom of Ships or Veſſels trading to this Iſland, two ſhillings ſix-pence.

For taking an Account of all ſuch Ships or Veſſels trading to this Iſland, two ſhillings and ſix-pence.

*Account of ſuch as load the growth of the Iſland.* For taking an account of all ſuch Ships or Veſſels as load the growth of this Iſland, with the particulars ſhipt and whither bound, two ſhillings ſix-pence.

*Veſſels trading about the Iſland.* For entring and clearing all Veſſels trading about this Iſland, one ſhilling three pence.

For every Warrant of Appraiſement, or Survey, two ſhillings ſix-pence.

*Every Oath.* For every Oath adminiſtred one ſhilling.

## *That the Clerk of the Markets Fees be* ;

*Every Beef 6d. Mutton, &c. 3d.* For every Beef killed ſix-pence.

For every Veal, Mutton, Lamb, Goat, Turtle, Hog or Kid, each three pence.

Where any Diſpute ſhall ariſe about Weights between the Buyer and the Seller, and complaint be made to the Clerk to decide it by weighing at his Scales, to be paid for each draught by the party in the wrong, three pence.

*Paid for weighing.*

*Marking Meaſures.* For marking every Pot from the Gill to the Gallon incluſive one penny.

*Marking Weights.* For marking all Weights from the ounce to the half Hundred weight groſs incluſive, one penny.

For

For Sealing every Ell or Yard, one penny. *Sealing measures.*

*Provided* alſo that no fee whatſoever ſhall be taken for Weights and Meaſures as aboveſaid, above once every year, and that only in each Market within this Iſland, and that no Stillyards be made uſe of in any Market or huckſters ſhop under the Penalty of twenty ſhillings for each time ſo made uſe of. *Fees but once a year* *No Stillyards to be uſed in Markets, &c. Under the Penalty of 20s.*

The one half of ſuch Forfeitures to be to the poor of the Pariſh, the other to the Informer that ſhall ſue for the ſame before any Juſtice of the Peace. *Half forfeitures to the Poor, the other half to the Informer.*

*Provided* always that the Clerk of the Market or other perſon Officiating under him, ſhall not take or demand any of the fees aboveſaid for killing of meat, but of ſuch perſons as ſhall ſell in the ſaid Market. *Not to take fees for meat ſold out of the Market.*

And that no Butcher or Turtler ſell any meat or Turtle by retail but in open Market, under the Penalty of forty ſhillings, to be recovered before any Juſtice of the Peace to the uſe of the Poor of the ſaid Pariſh. *No Butcher to ſell by retail but in the Market. On Penalty of 40s. to the Poor.*

*And* be it further Enacted, and Ordained by the Authority aforeſaid, that what Officer ſoever ſhall ask, demand, or take any greater or other Fees then are before mentioned for the matters aforeſaid and be thereof duly Convicted in any Court of Record, within this *Iſland*, ſhall forfeit the ſum of one hundred pounds Currant Money. *Whoſoever takes more Fees ſhall forfeit an 100l.*

One moiety whereof to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this *Iſland*, and the Contingent charges thereof. *Half to the King.*

And the other Moiety to the Informer, or him that ſhall ſue for the ſame in any Court of Record, wherein no *Eſſoign*, *Protection* or *Wager* of Law ſhall be allowed. *Half to the Informer or him that ſhall ſue.*

*And* If any Counceller, Lawyer, or Attorney ſhall ask, demand or receive, upon any Bills of coſt that are not ſigned by themſelves, and are not according to the Fees herein ſet and Eſtabliſhed, and ſhall thereof be Convicted in any Court of Record, he ſhall forfeit the Sum of ten Pounds, Currant Money, *If a Lawyer receive any greater Fees he ſhall forfeit 10l.*

*Party aggrieved. And Practice no more in any Court.*

to the party aggrieved and be uncapable of practising any more in any of the Courts within this *Iſland.*

*The Officers to enter into Bonds with Security of 4000l.*

*To perform their Offices; which Bonds are to be Lodged in the hands of the Juſtice.*

*There to remain Cautionary, as thoſe for Maſters of Ships.*

*And* Foraſmuch as great harms and damages may accrue unto the People of this *Iſland* through willful miſtakes or negligent performances of the ſeveral Offices before mentioned, Be it therefore Enacted, and Ordained, by the Authority aforeſaid, that the Secretary, Povoſt, Marſhal and Clerk of the Supreme Court: ſhall each of them enter into Bonds with good Security to our Soveraign Lord the King, his Heirs and Succeſſors, in the ſum of four thouſand pounds currant money, for the true performance of their reſpective Offices, which Bonds ſhall be Lodged in the hands of the Chief Juſtice for the time being, there to remain Cautionary for the Security of the Inhabitants of this Iſland from all ſuch loſſes or damages, as any perſon or perſons ſhall or may hereafter ſuſtain, and to be put in ſuit and thereon recovery to be made in the ſame manner as is appointed in an Act Intituled, an Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.

*The chief Juſtice to give Copys to any Injured.*

*And* the Chief Juſtice in whoſe hands the ſaid Bonds ſhall be depoſited ſhall not refuſe to give unto any perſon injured a true Copy of any of the ſaid Bonds, and to produce the Original in Court upon any tryal that ſhall be had for the breach of any of them.

*All other Officers to give Security according to the truſt, as the Governour, & Council ſhall direct.*

*And* all other Officers ſhall give ſuch Security proportionable to the Truſt repoſed in them, as the Governour for the time being, by and with the Advice of the Council ſhall think fit.

*And whoſo Officiates without ſo doing, and taking an oath to Perform, and thoſe of Allegiance and Supremacy, Forfeits 500l. Half to the King.*

And whoſoever ſhall Officiate in any of the ſaid Offices before they have given good and ſufficient Security as aforeſaid, and have taken an Oath for the true and juſt performance of their ſeveral Offices, and alſo the Oaths of Allegiance and Supremacy, ſhall forfeit the Sum of five hundred pounds currant money, One half to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the Contingent charges thereof,

thereof, and the other moiety to the Informer, to be recovered by Bill, Plaint or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, any thing in this Act or any other ſeeming to the Contrary notwithſtanding. *Half to the Informer.*

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# An ACT

## *Encouraging the Setling of this Iſland.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That it ſhall and may be Lawful for the Governour or Commander in Chief for the time being, or any of his Succeſſors, Governours of this Iſland, by Inſtrument under the broad Seal of the ſame, to make any Alien or Aliens, Foreigner or Foreigners, being already Setled in this Iſland, or ſuch as ſhall hereafter come to ſettle and plant in it, having firſt taken the Oath of Allegiance, to be at all intents and purpoſes fully and compleatly Naturalized; and that the ſaid Perſon ſo approved of and named in the ſaid Letters Pattents, as aforeſaid, ſhall by vertue of this Act have and injoy, to them and their Heirs, the ſame Immunities and Rights, of and unto the Laws and Priviledges of this Iſland, in as full and ample manner as any of his Majeſties natural born Subjects have or enjoy within the ſame, or as if they themſelves had been born within any of his Majeſties Realms, or Dominions, any former Law, Act, Ordinance, Uſage or Cuſtom to the contrary notwithſtanding. And to the intent the ſaid Letters, Pattents, and Inſtruments under the broad Seal of this Iſland aforeſaid may be obtained without any great difficulty or charge, Be it therefore Enacted and Ordained by the Authority aforeſaid that the Governour or Commander

*The Governour to make any Alien free Naturalized.*

*They taking the Oaths of Alegiance and Supremacy.*

*And then ſhall have the Priviledges of his Majeſties Subjects.*

*For which Pattent the Governour to have 5l.*

der in Chief ſhall have, and receive for the ſame five pounds currant money of this Iſland, and his Clerk for writing of it ten Shillings, and no more ſhall be paid to any Perſon or Perſons for the Paſſing the ſame, upon any pretence whatſoever: And whereas ſeveral Aliens and Foreigners that have formerly tranſported themſelves to this his Majeſties Iſland, have taken up and pattented in their own names, ſeveral parcels of Land or otherwiſe made purchaſes of Lands, houſes or other real Intereſt, and afterwards the ſame have been ſold deviſed or elſe taken by Eſcheat or *Ceſſavit* & granted to any of his Majeſties Liege people, Inhabitants of this Iſland: It is therefore hereby Enacted and Ordained by the Authority aforeſaid, that all ſuch Perſon or Perſons that have ſo brought or do hold by vertue of any device of any Alien or Aliens any Lands Houſes or Tenements, be as well ſecured and by vertue of this Act be for ever confirmed in the quiet and peaceable Poſſeſſion of all ſuch purchaſes or devices as if they had been ſold or deviſed by any of his Majeſties Natural born Subjects, and ſhall be good to their Heirs and Aſſigns for ever any former Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

*And his Clerk 10s.*

*All Aliens that have formerly purchaſed, &c. Which has been ſold or taken by Eſcheat. The purchaſers ſhall remain in Quiet Poſſeſſions by Vertue of this Act.*

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# An ACT

## *For Ordering Boats and Wherries, and better Government of* Seamen.

BE it Enacted by the Governour, Council and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that no Shallopman Boatman or Wherriman or any other Perſon or Perſons Employed in any Shallop, Boat, Wherry or other Veſſel, ſhall ask or demand for tranſportation of any Goods, Perſon or Perſons but according to the Rates hereafter mentioned, *viz.*

*Freight of Goods and Perſons.*

For

For a Boat or Wherry from *Paſſage-Fort* to *Port-Royal*, *Salt Ponds*, or St. *Andrews* or from St. *Andrews* to *Paſſage-Fort*, or backwards from any of the aforeſaid places in the day time two ſhillings and ſix-pence, and in the night three ſhillings, and at uſual times when there are ſix Paſſengers or more of every Perſon ſix-pence; and whatſoever Wherriman ſhall refuſe to carry any Perſon to or from the aforeſaid places at the Rate aforementioned ſhall forfeit twenty ſhillings to be recovered from the Owner of ſuch Boat by a Warrant of diſtraint from any of his Majeſties Juſtices, and to be diſpoſed of for the Poor of the Pariſh.

*From* Paſſage-Fort. *From St.* Andrews.

*A Boat-man that refuſes to go*

*Forfeits* 20s.

*To the Poor of the Pariſh.*

*And* the freight of any Goods or Liquors betwixt any of the aforeſaid places, three pence the hundred.

*Freight of Goods* Port-Royal *and St.* Andrews, *&c.*

For any quantity not exceeding a Barrel, ſeven pence half-penny *per* Barrel, and Eighteen-pence *per* Hogſhead.

*And* that no Boat-man or Shallop-man have for the freight of one hundred weight of any Goods, if he brings them from the North ſide of this Iſland, between the Eaſtermoſt point and point *Negril*, to any part of the South ſide, more then two ſhillings, *Provided* the ſame exceed not the quantity of a Barrel.

*From the North ſide.*

For every Barrel three ſhillings.

*And* for every Hogſhead eight ſhillings, and ſo proportionably for a greater quantity then a Barrel.

*And* for every head of great Cattle brought alive ten ſhillings.

*Freight of Cattle from the North ſide.*

*And* for a Sheep or Hog twelve-pence.

And for every Paſſenger two ſhillings.

*And Paſſenger.*

And the ſame Rates they ſhall receive for Paſſengers Goods or Cattle, from the South ſide to the North ſide, and that each Boat-man have for the freight of any Goods from *Port-Royal* to *Port-Morant* or *Richardſons Bay* or any Landing place between them, and ſo back from the ſaid places to *Port-Royal* nine-pence *per* hundred not exceeding an Hogſhead, except it be Barrels at two ſhillings *per* piece.

*And the ſame From the South ſide to the North ſide.*

*From* Port-Royal *to* Port-Morant *and thereabouts. Freight of Goods.*

And for an Hogſhead five ſhillings.

*Of Wood.* And for Wood which they ſhall carry at ten ſhillings *per* Ton.

*Of Paſſengers.* And Eighteen-pence *per* head for Paſſengers.

*From* Port-Royal *to St.* Davids *& there-abouts.* And that they ſhall have from *Port-Royal* to any part of St. *Davids*, or from any part of St. *Davids* to *Port-Royal* ſix-pence for every hundred, not exceeding an Hogſhead.

And for every Hogſhead four ſhillings.

And for every Paſſenger twelve-pence *per* head.

And for every Ton of Wood eight ſhillings *per* Ton.

And that the ſaid Boat-men or Shallop-men ſhall demand and receive for Freight of any Goods they ſhall carry to *Port-Royal* from any Landing place between *Point Negril* and *Point Pedro* Eighteen-pence *per* Hundred.

*From* Port-Royal *to* Point Negril *and* Point Pedro.

Two ſhillings *per* Barrel, and ſix ſhillings *per* Hogſhead.

And from *Aligator Pond* twelve-pence *per* hundred, and ſix ſhillings *per* Hogſhead.

Aligator Pond.

Milk River. And from *Milk River* twelve pence *per* hundred, two ſhillings *per* Barrel, five ſhillings *per* Hogſhead.

Carlile *Town* From *Carlile* Town, twelve pence *per* hundred, two ſhillings *per* Barrel, and four ſhillings ſix-pence *per* Hogſhead.

*And* Old Harbour *and back to* Port-Royal. And from *Old Harbour*, ſix-pence *per* hundred, fifteen pence *per* Barrel, three ſhillings *per* Hogſhead.

And that the ſaid Boat-men ſhall receive the ſaid Rates from *Port-Royal* to any the ſaid places.

And whatſoever Shallop-man, Boat-man, or Wherriman, or any other Perſon or Perſons Imployed therein, ſhall demand greater Rates then is mentioned in this *Act*, ſhall forfeit ten pounds Sterling for every ſuch default.

*On penalty of* 10*l. for each default.*

*Half to the King.* The One half to be to our Soveraign Lord the King, for and towards the ſupport of the Government of this Iſland, and the Contingent charges thereof.

*Half to the Informer.* And the other half to the Informer who ſhall ſue for the ſame in any Court of Record, wherein no Eſſoign,

Eſſoign, Protection, or Wager of Law ſhall be allowed.

And be it further Enacted and Ordained, That no *Negro*, *Indian*, or *Mulatto*, ſhall be permitted or allowed to row in any Wherry belonging to this Iſland, and that no Owner of any Canoa ſhall be permitted to Imploy any of them without having one White Man therein, and that all Owners of Boats, Wherries, or Canoas, ſhall every night chain and lock every of them to ſome Bridge or firm Poſt, and alſo take away the Oars, Sails and Rudder, and ſecure them in ſome ſafe place under lock and key.

*No* Negro Indian *or* Mulatto *to row in a Wherry, nor in a* Canoa, *without one White Man.*

*All Boats Wherrys and Canoas to be Chained every night.*

And whatſoever Maſter or Owner of any Wherry, Boat, or Canoa ſhall offend in any of the foregoing clauſes, ſhall forfeit for every ſuch offence ten Pounds Sterling to be recovered and diſpoſed of as aforementioned.

*On Penalty of* 10l.

*Provided* always and it is hereby intended that each Maſter or Owner of Wherry, Boat, or Canoa, ſhall have ſix months time allowed them from the making hereof to furniſh themſelves with White Men in order to the performance of this preſent *Act*.

*But all Owners to have ſix Months from the making this Act.*

And it is Enacted and Ordained by the Authority aforeſaid, that all Maſters of Boats, Shallops, or other Veſſel that trade from place to place in or about this Iſland, ſhall every time they arrive at *Port-Royal* leave an account of their Loading in writing at the *Naval Office* at any time between Sun and Sun.

*Maſters of Veſſels that trade about the Iſland ſhall leave an account of their Loading at the* Naval Office.

*Provided* that their loading is nothing but the Growth, Production, or Manufactury of this Iſland, and ſuch notice and account given in writing as aforeſaid, ſhall be accounted a ſufficient entry and diſcharge any ſuch Maſter from any trouble whatſoever.

*Which ſhall be an entry if they have only the growth of the Iſland.*

And it is further Enacted and Declared by the Authority aforeſaid, That any Perſon or Perſons who ſhall hereafter be indicted or impleaded for the ſtealing or felonouſly taking away of any Shallop, Boat, Wherry Canoa or other Veſſel, from any part of this Iſland or ſhall be conſenting, aiding, or aſſiſting to the doing of the ſame, and ſhall thereof be convicted according to Law ſhall be adjudged guilty of Felony. And

*Fellony to ſteal a ſloop Boat or Canoa.*

*The intention to steal any Sloop Boat &c.*

And it is further Enacted and Declared, That if the intention contrivance, or complotting of any Person with others to steal away any Shallop, Canoa, Boat, Wherry, or other Vessel, shall evidently appear by sufficient proof, or their own confession, the Offender or Offenders, if free, shall be condemned by the Justices in Sessions to pay the sum of ten Pounds to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof.

*And Prov'd or Confest.*

*Shall forfeit 10l. to the King.*

*And pay it presently, or else be sold.*

*Not exceeding the term of four years.*

And if the said Person or Persons so found guilty, shall not presently pay the said ten Pounds, or give Security for the same, the Justices in Sessions shall presently expose the Offender or Offenders to publick sale for the payment thereof, not exceeding the term of four years.

*But if they are servants they shall be whipt,*

*not exceeding 39 Lashes.*

But if the said Person or Persons so Offending shall be servants, then he or they shall be ordered by the Justices in Sessions to be whipt, not exceeding thirty nine Lashes on the bare back in some publick place of the said Island and also that he or they so Offending shall after their time expired by Indenture, Custom or Covenant, with his or their Master, Mistress or Imployer, be sold by the Justices in Sessions for the term of four years, and the Money that he or they shall be sold for, shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the Contingent Charges thereof.

*And after Expiration of their times be sold for 4 years, and the Mony shall be to the King.*

*No Seaman shall be trusted.*

*Those that trust or retain them shall lose their Money.*

*Excepting trade.*

And it is further Enacted by the *Authority* aforesaid, that no Seaman belonging to any Ship or Vessel whatsoever shall be trusted for any thing, and that whosoever shall trust him or them, or retain any of them in their houses, shall lose his or their money which they so trusted them withal, and be likewise liable to beproceeded against, as by the *Act* of this Country for retaining mens Servants, and to be Subject to all those penalties therein mentioned (excepting matter of Trade) and if any Victualler or Retailer

tailer of ſtrong Liquors do truſt any Sea-faring man, not generally reſiding upon, or belonging to this Iſland, above the value of forty ſhillings, though he have Bond or Bill for the ſame, he ſhall loſe his or their money which they ſo truſted them withal.

*A Victualler that truſts them above 40s. ſhall loſe it tho by Bond or Bill.*

And if any Commander of Ship or Veſſel ſhall entice away any Seaman belonging to any other Ship before he be Lawfully diſcharged, he ſhall forfeit fifteen Pounds Sterling.

*A Commander that entices men from another Ship, ſhall forfeit 15l.*

The one half thereof to the uſe of our Soveraign Lord the King, for and towards the ſupport of the Government of this Iſland, and the Contingent charges thereof.

*Half to the King.*

And the other half to him or them that ſhall ſue for the ſame, in any Court of Record, by Bill, Plaint or Information, any thing herein or any other *Act* contained to the contrary notwithſtanding.

*Half to the Informer.*

And whereas many times diſputes have riſen at *Port-Royal* about executing the Warrants of Juſtices of the Peace upon the Water which is within the Body of the ſaid Precinct:

It is therefore Enacted by the *Authority* aforeſaid, that all ſuch Warrants given by Juſtices of the Peace againſt any Perſon or Perſons on Board any Ship or Veſſel be directed to the Provoſt-Marſhal or his Lawful Deputies, or any of the Lawful Conſtables of the place according to the tenor of the ſaid Warrant, who are hereby Required and Impowered to execute the ſaid Warrant and to receive for the ſame three ſhillings.

*Warrants from Juſtices to be executed aboard Ships at* Port-Royal, *Directed to the Provoſt Marſhal or Conſtables.*

And whereas diverſe Sea-men out of an opinion of Imploying themſelves here to better advantage have taken an occaſion to deſert the Ships they belong unto, juſt as they are ready to ſail, to the great endangering both Ship and Cargo:

Be it therefore Enacted by the *Authority* aforeſaid, that whatſoever Seaman ſhall deſert the Ship he belongs unto, and ſhall be found or taken after the departure of the ſaid Ship, and cannot produce ſufficient teſtimony of his being Lawfully diſcharged by the Maſter or Commander thereof, ſhall by order of any

*Seamen that deſert their Ships, and taken after the Ship is gone, and cannot Prove a legal diſcharge.*

*ſhall receive 31 Laſhes on the bare back.* one Juſtice of the Peace receive thirty one Laſhes on the bare back by the Common Hangman, or other Inferiour Servant of the Priſon, who ſhall hereby be Commanded in any publick manner the ſaid Juſtice ſhall direct.

And foraſmuch as diverſe Inconveniences happen by the diſorderly going on board Ships before the Maſter hath been on ſhore with the Governour, as well in the miſcarriage of Letters as the ingroſſing the moſt uſeful Commodities.

*None ſhall go aboard any Ship without leave,* Be it further Enacted by the *Authority* aforeſaid, that no Perſon whatſoever without leave of the Chief Officer upon *Port-Royal* ſhall preſume to go on Board any Ship or Veſſel at her entring into Harbour until *until the Marſhal has been on board; on Penalty of 40s.* the Marſhal or his Deputy have firſt been on board with the Maſter, and brought him on ſhoar to the ſaid Chief Officer, under the Penalty of fourty ſhillings to be recovered by Warrant from any Juſtice of the Peace, in the ſame manner as is directed in the *Act* Impowering Juſtices to decide all differences not exceeding fourty ſhillings, the one half to the Informer the *Half to the Informer, Half to the Poor.* other half to the Poor of the Pariſh.

And be it further Enacted by the *Authority* aforeſaid, That no Maſter, Merchant, Factor, or other Perſon whatſoever, preſume to Treat, Grant, or obtain a promiſe *None to treat for any Merchandize or Tunnage till the Maſter has been with the Governour,* for any Merchandize or Commodity, to the value of ten ſhillings, or any quantity of Tunnage or Freight, until the Maſter hath been with the Governour or Commander in Chief of this Iſland, or ſome other Officer as he ſhall appoint, under the Penalty of *on Penalty of 50l.* fifty Pounds on each Perſon that ſhall ſo Treat, Grant, or obtain a promiſe as aforeſaid, any Cuſtom or Uſage to the contrary heretofore notwithſtanding; the *Half to the King.* ſame to be one half to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the *Half to the Informer.* Contingent Charges thereof, and the other half to the Informer to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland.

An

# An ACT

## *For Regulating* SURVEYORS.

BE it Enacted by the Governour, Council, and Aſſembly; and it is hereby Enacted and Ordained by the *Authority* of the ſame, That no Perſon whatſoever ſhall preſume to act or perform the Office or Imployment of a Surveyor General, within this Iſland, before he hath given good and ſufficient ſecurity in the Sum of Four thouſand Pounds currant Mony of this Iſland for the juſt and faithful performance of his Office and truſt, according to the Duty of his ſaid Office and Imployment, and that the Bonds for ſecurity be carefully kept and recorded in the Secretary's Office and upon any damages received by any Perſon from the ſaid Surveyor, or any Deputed under him in the negligent or corrupt performance of his or their Surveys, and due application thereon made to the Governour, the ſaid Bond ſhall be put in ſuit, and due Recovery thereon made, for ſuch Damages as they ſhall prove to have received, in the ſame Manner and Form as is declared and provided by the *Act* entituled an *Act* requiring all Maſters of Ships and Veſſels to give ſecurity in the Secretary's Office.

*None to undertake ſurveying till he has given 4000l. ſecurity.*

*The Bonds to be kept in the Secretarys Office.*

*Recovery to be made for damages, as in the Act for Maſters of Ships.*

*Provided* always, and it is the true intent and meaning of this *Act*, That it ſhall and may be Lawful for any Perſon or Perſons whatſoever to Survey, Reſurvey and run any dividing Lines and give Plats of any Land already Pattented, or that ſhall be Pattented or Surveyed within this his Majeſties Iſland, except where the King is or ſhall be a party, in which caſe only the Surveyor General, his Deputy, or Deputies, or any other Perſon thereunto Lawfully authorized by the Governour for the time being, ſhall Survey, Reſurvey or run dividing Lines and give Plats thereof, any Law Cuſtom or Uſage ſeeming to the Contrary in any wiſe notwithſtanding.

*Any perſon may ſurvey where the King is not concerned.*

*There only the Surveyor General or his Deputy.*

*Be*

*In what time the Surveyor General is to do his Office after an Order receiv'd.*

*Be* it further Enacted and Ordained by the *Authority* aforeſaid, That the Surveyor General, or any other Perſon thereunto Lawfully authorized as aforeſaid, ſhall by himſelf or his Deputy or Deputies execute every ſuch Order or Warrant for the ſurveying or running out of Lands, as from time to time ſhall be directed to him or them as aforeſaid, within a reaſonable time after the proving of ſuch an Order or Warrant, That is to ſay; In any place within the Pariſhes of St. *Katherines*, *Port-Royal*, or St. *Andrews* within one Month, in any place within the Pariſhes of *Vere*, *Clarendon*, St. *Dorothy*, St. *John*, St. *Mary*, St. *Thomas* in the Vale, St. *David* or St. *Thomas* to windward within three Months, and in any other Pariſh whatſoever within this Iſland, within ſix Months upon penalty of one hundred Pounds currant Mony of this Iſland for every ſuch Default, the One half to our Sovereign Lord the King his Heirs and Succeſſors, for and toward the ſupport of the Government of this Iſland and the Contingent charges thereof, and the other Moiety to the Perſon aggrieved or to him that ſhall ſue for the ſame, to be Recovered in any of his Majeſties Courts of Record within this Iſland, by Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager at Law ſhall be allowed.

St. Katharines, Port-Royal, &c.

Vere, Clarendon, &c.

Other Pariſhes.

On Penalty of 100l.

Half to the King.

Half to him that ſhall ſue.

*Provided* always, That if any Perſon under the pretence of ſurveying Lands ſhall cauſe the Surveyor or any of his Deputies to take a journey, and when he comes at the time and place Aſſigned ſhall not be there ready to ſhew him the Land that is to be ſurveyed, ſo that he cannot perform the ſame, the Parties aforeſaid ſhall pay and ſatisfie unto the ſaid Surveyor or his Deputy Ten ſhillings *per diem* for every day he ſhall ſo loſe, for his pains and charges in the ſaid journey.

*Thoſe that imploy Surveyors and are not ready,*

*Shall pay the Surveyor* 10s. *per day.*

*And* be it further Enacted by the *Authority* aforeſaid, That the ſaid Surveyor General by himſelf, or his Deputy erect his Office at the Town of St. *Jago de la Vega*, under the penalty of Five hundred Pounds currant Money of this Iſland to be recovered and levied as aforeſaid to the uſes aforeſaid; and that he or his Deputy keep or attend his Office from Eight to Eleven in the

*The Surveyor General's Office to be at* St. Jago de la Vega *on Penalty of* 500l. *Where he or his Deputies are to attend in the Morning and After noon,*

the Forenoon, and from Two to Five in the Afternoon, every day except *Sundays* and Holy-days, under the penalty of Fourty ſhillings, to be recovered by Warrant from any Juſtice of the Peace to the uſes aforeſaid, any Cuſtom or Uſage heretofore to the contrary notwithſtanding. *On Penalty of 40s.*

*Provided*, That a power be left in the Kings Majeſty and his Officers to re-examine the Surveyors for what concerns his Majeſty. *Power left to Examine for the King.*

# An ACT

## *For further Directing and Regulating the proceedings of* Surveyors.

F*Oraſmuch* as it hath been found by Experience that the *Act* Entituled An *Act* for *Regulating Surveyors* hath not ſufficiently Provided againſt the ſeveral abuſes by ſundry evilly diſpoſed Surveyors, formerly, and now alſo often done and committed contrary to their Duty, and the Truſt repoſed in them, to the damage of his Majeſty: and of his Leige People of this Iſland, and which in ſome caſes may tend to the utter ruine of many of his good Subjects, for prevention whereof, Be it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That no Surveyor whatſoever preſume to deliver any Plat, whereby any parcel of Land ſhall paſs the Broad Seal of this Iſland, before he hath himſelf in his own Perſon actually Surveyed and meaſured the ſaid Land on every-ſide thereof, where it is acceſſible and poſſible to be done, and hath alſo ſeen the Lines fairly made, and the Corner-Trees marked with the firſt Letters of his Name and Surname expreſſed in the Order, and that the ſaid Plat ſhall truly repreſent the reſpective parcels of Land, with their true bounds and bearings, and expreſſing the ſort of Wood every

*No Surveyor ſhall deliver any Plat which he hath not actually ſurvey'd, and ſeen the Trees fairly marked,*

Corner-Tree is of, with the Alphabetical Marks aforeſaid, and alſo inſert the Scale of the ſame, either drawn or expreſſed therein, under the Penalty of Fifty Pounds for every ſuch Default.

*on Penalty of 50l.*

*And* be it further Enacted & Ordained by the Authority aforeſaid, That where any Surveyor ſhall be called or imployed to ſurvey or reſurvey any parcel of Land bounding upon any Land already taken up, the ſaid Surveyor, before he preſume to run upon any ſuch Lines, ſhall give notice thereof, to the reputed Owners or Poſſeſſors of the ſaid Land, if he know them, and that they are Inhabitants in the Precinct where the ſaid ſurvey or reſurvey is intended to be made or done; and if he do not know the Owner of the ſaid Land, or that the ſaid Owner dwell not in the Precinct, that then he give notice to the two next Neighbours, under the Penalty of Twenty Pounds for every ſuch Default.

*The Surveyor is to give notice when he runs on Land already taken up, to the Owner,*

*or the Neighbours, on Penalty of 20l.*

*And* be it further Enacted and Ordained by the Authority aforeſaid, That no Surveyor ſhall preſume to ſurvey or lay out any Land to paſs the Broad Seal of this Iſland, directly or indirectly for his own uſe, but ſhall imploy ſome other Surveyor to do the ſame, under the penalty of Fifty pounds.

*No Surveyor is to lay out Land for himſelf,*

*but by another Surveyor, on Penalty of 50l.*

*And* whereas ſundry Surveyors have practiſed to give Plats to paſs the King's Grant for ſeveral parcels of Land, upon ſome of which parcels they have, either through negligence or evil deſign, never made any actual ſurvey, *viz.* either marking one Corner-Tree or more, and running and marking no Lines, but projecting the whole, or elſe ſome part where the natural Situation of the Land would well permit the due ſurvey and cutting Lines, which tends to the diſhonour of his Majeſty, and great damage, even in ſome caſe, to the ruine of many of his good Subjects of this Iſland; Be it therefore Enacted and Ordained by the Authority aforeſaid, That all preſent Surveyors who have given Plats whereby any parcel of Land hath paſſed the Broad Seal of this Iſland, without actual Surveying on all ſides where the Situation of the ſaid Land makes it poſſible to be done, ſhall on requeſt to them made at any time compleat any former ſurvey, according

*Surveyors that have been negligent,*

*and given Plats by Projection,*

*to the Prejudice of the King and his Subjects,*

*ſhall make actual ſurveys of ſuch Lands, at the requeſt of the Owners of the Lands.*

cording to the Plat by them given, running fair Lines where they had before projected only, and marking Trees in the ſaid Lines with three Notches in Wood-Land, according to Cuſtom, and making fitting Marks in other Lands. And it is hereby alſo provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby Obliged to make reſurvey or cut Lines in Lands which have been pattented more then Four years; and whatſoever Surveyor, or that hath Executed the Office of a Surveyor in this Iſland, ſhall after due requeſt as aforeſaid, deny, reſuſe, or delay to cut the above-ſaid Lines, and rectifie the above-mentioned Errors, in ſuch manner as is before expreſſed, ſhall forfeit for every Three Months they ſhall ſo deny, refuſe, or delay the ſame, the ſum of Twenty pounds, to be recovered in any Court of Record in this Iſland, one half whereof to our Sovereign Lord the King, for the Publick uſe of this Iſland, and the other half to the Informer, Party injured, or who will ſue for the ſame.

*No Surveyor obliged where lands have been Pattented four years.*

*If the Surveyor refuſe on requeſt,*

*he ſhall forfeit for every three Months* 20l.

*one half to the King, the other half to the Informer.*

*And* for prevention of Diſputes and Differences that may ariſe alſo of an Evil practice of ſome Surveyors, who when an Order hath been given for running out Land, have made their own advantages of the ſame, running it out for other Perſons; It is alſo hereby Enacted, That every Surveyor ſhall at any time, when an Order for the ſurvey of Land is offered him, immediatly take a *Memorandum* thereof, with the place where the party bringing it, deſires it ſhould be run out, mentioning alſo the time of the receipt thereof, and ſhall alſo write the ſame on the back of the ſaid Order, and ſhall alſo ſurvey the ſaid Land accordingly for the ſaid Perſon, if he be ready in reaſonable time after due notice by the ſaid Surveyor given to ſhew the ſaid Land; And if it ſhall ſo happen, that the ſaid Surveyor ſhall have received an Order already, which he believes is for the ſaid parcel of Land, he ſhall then declare the ſame, and alſo ſhew the ſaid Order, if deſired, under the penalty of Fourty pounds for every ſuch default; and every Surveyor ſhall on every ſurvey return two Plats

*Surveyors ſhall take a* Memorandum *of the Orders brought them,*

*with the time of the receipt,*

*and ſhall Survey it;*

*But if he has receiv'd an Order for the ſame Land already, he ſhall declare it, on Penalty of* 40l.

*Every Surveyor ſhall return two Plats.*

Plats of the ſaid ſurvey into the Pattent-Office, the one to be left there, and the other to be affixed to the Grant.

*The Clerk of the Pattent is to fix one Plat on the Grant,*

*and keep the other in the Office,*

*which the Secretary ſhall record;*

*and the Clerk of the Pattents ſhall have 10s. for each.*

*If he or the Secretary offend, they ſhall forfeit 20l. each.*

*And* it is hereby alſo further Enacted, that the Clerk of the Pattents ſhall affix one of the two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the ſaid Office, without any embezelment of the ſame, and that the Secretary of this Iſland ſhall Record a true Copy of the Plat ſo affixed to the Grant or Pattent, next unto the Record of each reſpective Grant or Pattent; And that the Clerk of the Pattents ſhall receive for Writing an Original Pattent Ten ſhillings, and no more; and if the Clerk of the Pattents or Secretary of this Iſland ſhall offend againſt any of the Clauſes of this Act, he or they who ſhall ſo offend, ſhall forfeit the ſum of Twenty pounds for each Offence by him or them Committed.

*Where any original Plat is lodg'd,*

*they ſhall give a true Copy for 2s. 6d.*

*If they refuſe, they ſhall forfeit 40s.*

*one half to the Poor, the other half to the party aggriev'd.*

*And* it is alſo hereby Enacted, That every Surveyor or Clerk of the Pattents, or any other Perſon in whoſe hands ſoever any Original Plat is Lawfully lodged, ſhall on requeſt by any one made, give a true Copy of any Plat in their poſſeſſion, and receive Two ſhillings & ſix-pence for the ſame, and no more; And whoſoever aforeſaid ſhall refuſe or deny the ſame, ſhall forfeit Forty ſhillings for every ſuch Offence, to be recovered by Warrant from any Juſtice of the Peace, one half of which Forfeiture to be received by the ſaid Juſtice, and paid by him to the Church-Wardens, for the uſe of the Poor of the Pariſh, and the other half to the party complaining.

*Surveyors may take 3d. per Acre,*

*for Surveying Land, and no more.*

*And* whereas in an Act, Entituled, *An Act for regulating Fees*, it is made Lawful for every Surveyor to receive Two pence *per* Acre for all Lands by him or them ſurveyed, *viz.* for the ſurvey of the ſame, and no more. It is hereby Enacted by the Authority aforeſaid, That it ſhall and may be Lawful for every Surveyor to receive One penny *per* Acre more then the ſaid Act allows; that is, Three pence *per* Acre for ſurveying any quantity of Land, and no more.

*And*

*And* it is hereby Enacted, That every Perſon who ſhall receive a Commiſſion from the Governor to be a Surveyor in this Iſland, ſhall give Bond with ſufficient Surety in the ſum of Three hundred Pounds, for the true and juſt performance of his Office, before he Act in the ſame, under the Penalty of Fifty Pounds for every ſuch Offence, the ſaid Bond to be carefully kept and Recorded in the Secretaries Office, that upon any negligence or corrupt performance of their Office, it may be put in ſuit in the ſame manner as is declared and provided for the recovery of the Bond for Security given by all Maſters of Ships and Veſſels, and appointed in the Act, Entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.*

*Every Surveyor ſhall give Bond, with Security of 300l. before he act, on Penalty of 50l.*

*the Bond to lie in the Secretaries Office,*

*to be put in uſe as that which Maſters of Ships give in that Act.*

But it is hereby Provided nevertheleſs, That if the Surveyor General ſhall keep his Office, and perform the Duties herein required both in his own Perſon and his Deputies, and as is provided in an Act, Entituled, *An Act for Regulating Surveyors*, that then it ſhall and may be Lawful for the ſaid Surveyor General to employ Deputies as formerly hath been done; But that his Bond of Four Thouſand Pound, mentioned in the aforeſaid Act, ſhall remain Cautionary for Security, That himſelf, and alſo his Deputies, do well obſerve and perform all the Directions and Clauſes of this Act for future Surveys, under the ſeveral Penalties therein expreſſed.

*If the Surveyor General perform his Duty,*

*he may employ Deputies;*

*but the Bond of 4000l. to remain Cautionary, for himſelf and his Deputies.*

Be it further Enacted by the Authority aforeſaid, That if *Robert Felgate* or any Perſon whatſoever, who have any Original Plat in their Cuſtody, do not return the ſame into the Pattent-Office, at or before the Five and twentieth day of *March* next enſuing, ſhall, upon due Conviction thereof, for every Plat ſo kept back, forfeit the ſum of One hundred Pounds.

*Any Surveyor that does not return what Plats he has in his hand into the Office, before the 25th. day of* March, 1684. *ſhall forfeit for each Plat* 100l.

*And* it is alſo hereby Enacted and Ordained by the Authority aforeſaid, That all Penalties mentioned in this Act, and no proviſion made where they ſhall be recovered, or how diſpoſed of, ſhall be re-

*The Penalty in this Act ſhall be,*

covered by Bill, Plaint, or Information, in any Court of Record within this Iſland, wherein no Eſſoign, Protection, or Wager of Law, ſhall be allowed, one half of which Forfeitures ſhall be unto our Soveraign Lord the King, towards the Support of the Government of this Iſland, and the Contingent Charges thereof, and the other half to him or them that ſhall ſue for the ſame, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

*one half to the King,*

*the other half to them that ſhall ſue.*

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# A

## *Supplemental and Explanatory ACT.*

BE it Enacted and Ordained by the Governour, Council and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That the Miniſter of each Pariſh be conſtantly one of the Veſtry, and that no Veſtry preſume to make any Order, without having firſt given timely notice to the ſaid Miniſter to be there.

*The Miniſter of each Pariſh to be of the Veſtry, and no Order made without his notice.*

*And* be it further Enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Dorothy's* and St. *Thomas in the Vale*, pay all Pariſh Dues and Duties, as formerly to the Pariſh of St. *Catherines*, till each be provided of a Church and Miniſter of their own, and that the Precincts of the *Magotty* pay all Parochial Duties to the Pariſh of St. *John* (reparation of the High-ways only excepted) until there be a Church built and a Miniſter ſetled in the Pariſh of St. *Thomas in the Vale*, and when the Pariſh of St. *Dorothy* ſhall be provided of a Church and Miniſter, that then the Bridge lying over *Black River* ſhall be built and repaired whenſoever there ſhall be occaſion for the ſame, at the Common and equal Charge of the Pariſhes of St. *Catherine* and St. *Dorothy*; And the High-ways from the Ford of *Rio Cobre* at the Creſcent unto Major *George Nedham's*

*St.* Dorothy's *in the* Vale, *pay all Duties to St.* Catherines, *till they have Churches of of their own;*

*the* Magotty *to St. John's,*

*except High-ways.*

*St. Catherines and St. Dorothies to build the Bridge over* black River;

*the Road from the Creſcent to Maj.* Nedham's

*ham's* Walk, to be kept and maintained at the charge of the Inhabitants of St. *Thomas in the Vale.*

*at the Charge of St.* Thomas in the Vale.

Be it Enacted by the Authority aforeſaid, That a North North-Weſt Line, from the head of *Swift-River*, to the South bounds of St. *Anns* ſhall be the Eaſterly and Weſterly Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon.*

*The Bounds of St.* Elizabeth *and Clarendon.*

*And* be it further Enacted by the Authority aforeſaid, That from and after the Twentieth day of *December*, in the Year of our Lord One thouſand ſix hundred eighty and three, no Common Horſe-catcher preſume to Ride or Drive in any *Savanna*, to take up any Horſes, Mares or Colts, without having firſt given Bond, with ſufficient Security, in the ſum of One hundred Pounds, to the Juſtices ſitting in open Seſſions of the Peace for that Precinct, where the ſaid Horſe-catcher ſhall Ride or Drive as formerly, under the Penalty of Ten Pounds for each Offence, which Bonds to be taken in the King's Name, and due recovery thereon to be had as is appointed in an Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office. And the ſaid Horſe-catcher having given ſuch Bond with Security aforeſaid, ſhall obtain an Order from the Juſtices then ſitting in Seſſions, to Ride and Drive as aforeſaid, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

*No Horſecatcher to Drive in any* Savanna, *till he has given Bond with Security of* 100l.

*on Penalty of* 10l.

*as in the Act for Maſters of Ships;*

*and then he ſhall have an Order from the Juſtices.*

*And* be it further Enacted by the Authority aforeſaid, That from and after the firſt day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, no Common Horſe-catcher whatſoever ſhall Mark Horſe, Mare or Colt, or any ſort of neat Cattle, without having firſt given notice in the Pariſh-Church the Sabbath-day before they intend to mark, under the Penalty of Twenty Pounds for every ſuch Default.

*But ſhall not mark Cattle, without giving notice,*

*on Penalty of* 20l.

*And* it is further Enacted by the Authority aforeſaid, That from and after the firſt day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, it ſhall be inſerted in the Bond of Maſters of

*No Maſter of a Ship to carry off a ſlave, without a Ticket,* of Ships or Veſſels, giving Security in the Secretary's Office, That no Maſter of any Ship or Veſſel preſume to carry off this Iſland, any Slave or Slaves, without a Ticket under the hand of the Governour or Commander in Chief, wherein ſhall be inſerted *as here expreſſed,* the Owners Name, who ſhall alſo make Oath before ſome one Juſtice of the Peace, that the ſaid Slave or Slaves is his or hers, or that they have ſufficient Power from the Owner of ſuch Slave or Slaves, to tranſport the ſame, upon Forfeiture of double the value of ſuch Slave or Slaves ſo carried off without ſuch Ticket; One half of which Forfeiture to be to our Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the Contingent Charges thereof, the other Moiety to him or them that ſhall ſue for the ſame; and that the Secretary take Two ſhillings ſix-pence as his Fee for each ſuch Ticket, Provided he inſert as many in each Ticket as the Owner of the Slave or Slaves ſhall require.

*on forfeiture of double the value of the ſlave; one half to the King,*

*the other half to him that ſhall ſue.*

*The Secretary to have 2s. 6d. for the Ticket.*

*Night-guards to be kept in St. Jago.* *And* whereas it is thought fit and neceſſary, that Night-Guards be duly and Conſtantly kept in the Town of St. *Jago de la Vega*, Be it therefore Enacted and Ordained by the Authority aforeſaid, that from and after the Twentieth day of *October*, in the Year of our Lord One thouſand ſix hundred eighty three, at the Town of St. *Jago de la Vega*, there be Conſtantly and duly kept each Night in the Year a Guard conſiſting of Eleven perſons; that is to ſay, three Troopers with a Corporal or other Officer, and ſix Foot-Soldiers with a Corporal or other Officer, ſuch as the Captains of Troop and Company or their ſuperiour Officers ſhall appoint, and whatſoever Officer or Soldier ſhall neglect his or their Duty herein, ſhall be fined in manner as is appointed for Non-appearance in Arms in the Act for ſetling the Militia, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

*and how,*

*and on Neglect to be fined,*

*as in the Act of the Militia.*

*And* be it further Enacted by the Authority aforeſaid

ſaid, That it ſhall and may be Lawful for any Captain of a Troop or Company within this Iſland, or other Officer impowered by the Act for ſetling the Militia, to Iſſue out Warrants for the levying of ſuch Fines and Forfeitures, Relating to any Perſon under the degree of a Captain, and direct the ſame as well unto the Marſhal of each Regiment as the Serjeant or Corporal of the reſpective Troop or Company, any Law, Cuſtom or Uſage to the Contrary notwithſtanding.

*Officers in the Militia, may levy forfeitures by Warrant.*

And be it further Enacted by the Authority aforeſaid, That the Surveyors of the High-ways for the ſeveral Pariſhes and Precincts of this Iſland for the time being, upon any ſudden or extraordinary occaſions for the repairing the High-ways, ſhall repreſent the ſame to the Juſtices of the reſpective Precincts where the Ways are broken, upon which the Major part of the ſaid Juſtices, together with the Surveyors, are hereby impowered at any ſuch time or times to lay a Tax upon the Inhabitants of the ſaid Precincts of ſuch Money, Labour, or other things, as to them ſhall ſeem neceſſary and convenient, for the Immediate repair of the ſame, any former Law to the contrary notwithſtanding.

*Surveyors of the High-ways upon any ſudden occaſion, ſhall repreſent it to the Juſtices, who may lay a Tax for the immediate Repairs.*

Be it alſo Enacted by the Authority aforeſaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton or Piemento (being the Production of this Iſland) ſhall be taken upon Writ of *Venditioni Exponas*, the ſame ſhall be carried to *Port-Royal* at the charge and riſque of the Defendant, and there be appraiſed by the Church-Wardens for the time being, and in abſence of one of the ſaid Church-Wardens, then by the Church-Wardens preſent and either of the Church-Wardens of the foregoing Year, and in abſence of both the Church-Wardens for the time being then by both the Church-Wardens that were for the preceding Year, the ſaid Church-Wardens being firſt ſworn to appraiſe the ſaid Goods according to their juſt value, without favour or affection to either party; which Oath any one Juſtice of the Peace is hereby impowered to adminiſter,

*Goods taken by* Venditioni Exponas, *ſhall be carried to* Port-Royal *at the Defendants charge, and appraiſed by the Church-Wardens, or workers here appointed, they taking an Oath to appraiſe to the value;*

*and then ſhall be delivered to the Creditor for ſo much Mony.*

and the ſaid Goods ſo taken and appraiſed, ſhall by the Provoſt-Marſhal be forthwith delivered to the Plaintiff, for ſo much Money as the ſame ſhall be appraiſed at, which ſhall be taken and accepted by the Plaintiff, as ſo much Money Effectually paid him, any former Law to the contrary notwithſtanding.

*For which the Appraiſers ſhall have* 4d. *in the Pound;*

*but if they refuſe to appraiſe the Goods,*

*they ſhall forfeit* 10l.

*And* it is further Enacted by the Authority aforeſaid, That the ſaid Church-Wardens ſhall receive from the Defendant Four pence out of every Twenty ſhillings value of what they ſhall ſo appraiſe; and if they or any of them ſhall refuſe to appraiſe upon Oath the Goods ſo taken as aforeſaid, he or they ſo refuſing, ſhall forfeit for every ſuch refuſal the ſum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland, the ſame to be one half to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent charges thereof, and the other half to the Informer or he that ſhall ſue for the ſame.

*one half to the King,*

*the other half to the Informer.*

*All ſhall be liable to Arreſts, unleſs they have Five Acres planted, or a Houſe of* 10l. per Ann.

Be it alſo Enacted by the Authority aforeſaid, That none ſhall be deemed or adjudged to be Freeholders of known reſidence, unleſs he poſſeſs Five Acres planted, or a Houſe of the value of Ten Pounds *per Annum* on his Free-hold, and all others ſhall be liable to an Arreſt, any former Law or Cuſtom to the contrary notwithſtanding.

*No poor Priſoners ſhall be let to publick Hire,*

*And* whereas it is Provided by an Act, Entituled, *An Act for eſtabliſhing of Courts, and directing the Marſhal's Proceedings*, that Poor Priſoners that have not wherewith to maintain themſelves, may under certain terms and conditions therein expreſſed, be publickly let to Hire, towards ſatisfaction of their Creditors, by which diverſe Frauds have been committed: Be it therefore Enacted by the Authority aforeſaid, That

*until they have delivered in to Court a Liſt of what they can claim,*

no Priſoner hereafter ſhall have the benefit of that Act until he or ſhe have firſt delivered in to the Court a true and perfect Liſt of all the Debts, Goods and Monys, that he or ſhe hath, or can claim in this Iſland, and there made a full aſſignment and delivery thereof unto the

the Provoſt-Marſhal, for the uſe of the Creditors, and have further taken in open Court this following Oath: *and aſſigned it to the Provoſt-Marſhal.*

I A. B. *do ſwear, That I have now delivered in to the Court a true and perfect Liſt of all the Debts, Goods and Monys, which I have, or can any way lay claim unto in this Iſland, and that there hath not been either by my ſelf or any other by my direction, made over, concealed, or any ways ſecured for me, any other Goods, Debts, or Monys, more than is there expreſſed, excepting only Five Pounds reſerved for my neceſſary Subſiſtance: So help me God.* *and taken this Oath;*

And the Goods, Debts, and Mony, ſo aſſign'd and delivered unto the Provoſt-Marſhal, ſhall be by him accounted for and paid unto the ſaid Creditors, in ſuch Proportions as by the ſaid Act is directed for the Hire or Wages of the ſaid Servant, any Law or Cuſtom heretofore to the contrary notwithſtanding. *And ſuch Goods and Debts ſhall be paid to the Creditors in proportion.*

Provided alſo, That the ſeveral Fines, Forfeitures, and Penalties, aforementioned in this Act, and not declared where they ſhall be recovered and how diſpoſed of, be one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and toward the ſupport of the Government of this Iſland, and contingent charges thereof, the other Moiety to the Informer or him that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager at Law ſhall be allowed, any Law, Cuſtom or Uſage to the contrary notwithſtanding. *The Fines in this Act to be, one half to the King, and the other to him that ſhall ſue.*

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# An ACT

## *For keeping open old Paths to Publick Watering-places.*

FOraſmuch as it hath not been hitherto Provided by any of the Acts of this Countrey, to give full and ſufficient power to the Juſtices of the Peace to grant *Preamble.*

grant Warrants to lay out, upon occaſion, broad Paths to Common and known Watering-places, whereby the Inhabitants of this Iſland may in time be much prejudiced, Be it therefore Enacted and Ordained by the Governour, Council and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That upon notice given to any Juſtice of the Peace, he ſhall on requeſt Iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient place and day therein to be mentioned, to view and lay out ſuch Path or Roads as have been uſed to any Publick, Common or known Spring, River or Watering-place for ſeven years laſt paſt, which ſaid Juſtice is hereby impower'd to adminiſter an Oath to the ſaid Jury, That according to the beſt of their Skills and Judgments they will Lay out ſuch Way as aforeſaid; which having done, the Surveyor of the High-ways is to make return thereof to the Juſtices of the next Quarter-Seſſions of the Precincts, and if approved by the ſaid Juſtices, ſhall be there filed or Recorded, and after known for a publick High-way; and where new Fences on both ſides of the Path ſhall be needful, the ſame to be made and maintain'd at the charge of the Precincts.

*The Juſtices ſhall iſſue Warrants for Juries, to meet,*

*and lay out ſuch Paths as have been uſed to Watering Places for ſeven years laſt paſt,*

*being firſt ſworn by the Juſtices; which the Surveyor of the High-ways ſhall return to the Seſſions, and if approved there, ſhall be recorded, and where new Fences ſhall be wanting, the Precincts ſhall be at the charge.*

## An ACT

### *Appropriating certain Lands upon* Port-Royal *to the Publick Uſe.*

WHereas ſome private perſons have Pattented parcels of Land upon *Port-Royal*, and built Houſes very near unto the Walls of *Chriſt-Church* and *Fort Rupert*, which not only encumber both, but may happen to endanger their loſs or ruin, Be it Enacted and Ordained by the Governour, Council and Aſſembly, and it is hereby Enacted and Ordained by the Authoriry of the ſame, That no perſon whatſoever

ſoever having Land on the South-ſide of *Port-Royal*, between *Chriſt-Church* and the Sea, or at the Eaſtermoſt end of *Port-Royal*, within two hundred Foot of the Wall that runs near North and South, croſs *Port-Royal*, Commonly known by the name of the *Breaſt-Work*, ſhall ever hereafter preſume to build any Houſe or other Fabrick thereon, and if any Houſes are already Erected within the Limits aforeſaid, they ſhall be pulled down, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

*None that has Land at the South-ſide of* Port-Royal, *between* Chriſt-Church *and the Sea, or within* 20 *foot of the* Breaſt Work, *ſhall build any houſe thereon, and if any already built they ſhall be pulled down.*

*And* that all Perſons having Land or Houſes within the Limits aforeſaid, may receive juſt and due ſatisfaction for the ſame, It is Enacted and Ordained by the Authority aforeſaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilſon*, Capt. *Thomas Clerk*, and any other Perſon choſe by the Proprietor are hereby appointed and impowered to view the ſaid Lands and Houſes as aforeſaid, and to appraiſe them according to their juſt and true value; and whatſoever the ſaid Appraiſers or any two of them, being firſt ſworn by any one of his Majeſties Juſtices of the Peace, who is hereby impowered to adminiſter the ſame, to appraiſe the ſaid Lands or Houſes according to the beſt of their Judgments, ſhall judge to be the value of the ſaid Land and Houſes, ſhall be deemed and taken for the full worth of the ſaid Lands and Houſes, and paid to the Proprietors out of his Majeſties Treaſury of this Iſland, which payment, or (in caſe of the refuſal of the Proprietors) tender of payment, ſhall for ever be a good Bar againſt any Title to any Land or Houſes within the Limits aforeſaid, any Pattent, Deed, Law, Cuſtom or Uſage to the contrary notwithſtanding.

*Gentlemen appointed to View and Appraiſe ſuch Lands and Houſes.*

*The value of which appraiſ-ment, ſhall be paid to the Proprietors out of the Kings Treaſury, which payment or tender ſhall be a good Bar againſt any Pattent, &c.*

# An ACT

## *For puniſhing Idle Perſons and Vagabonds, and for Relief of the Poor.*

*Preamble.* WHereas diverſe Idle Perſons and Vagabonds, though of able bodies, uſe loitering, and refuſe to work for reaſonable Wages in the ſeveral parts where ſuch perſons happen to dwell and abide, not having living otherwiſe to maintain themſelves, whereby the charge of ſeveral Pariſhes may be much encreaſt; For prevention whereof, Be it therefore Enacted by the Governour, Council and Aſſembly, and be it hereby Enacted by the Authority of the ſame, That from and after the firſt day of *January*, in the Year of our Lord God, One thouſand ſix hundred eighty and three, the Juſtices and Veſtry of each Pariſh within this Iſland, or the Major part of them, if to them it ſhall ſeem convenient and neceſſary, are hereby fully impowered to Lay a reaſonable Tax, for the Building one or more Houſes of Correction within their ſeveral Pariſhes, and for the providing Stocks of Money and all other things neceſſary for the ſame, and for governing of the ſame, and for correction and puniſhment of Offenders thither Committed, ſuch Orders as the ſaid Juſtices and Veſtry or the Major part of them ſhall from time to time make, reform or ſet down in that behalf, ſhall be of force, and be duly perform'd and put in execution, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

*The Juſtices and Veſtry to lay a tax to build a houſe of Correction,*

*and make orders to Govern the ſame,*

*which ſhall be of force.*

*And* be it further Enacted by the Authority aforeſaid, That all Rogues, Vagabonds and other idle perſons that ſhall be found wandring from place to place, or otherwiſe miſordering themſelves, ſhall be apprehended by the Conſtables or Tything-men of each reſpective Pariſh within this Iſland, and to carry him

*And all Rogues, Vagabonds, &c.*

*ſhall be apprehended,*

or

or her ſo apprehended before ſome one Juſtice of the Peace of that Precinct; and if upon examination it appear, that the apprehended be Perſons fit and able to work, and do refuſe ſo to do, but wander about as aforeſaid, That then the ſaid Juſtices ſhall order him or her to be whipped on the naked back, not exceeding Thirty nine Laſhes in the whole by the ſaid Conſtable or Tything-man, and ſhall be forthwith ſent from Pariſh to Pariſh by the Conſtables or Tything-men of the ſame, the next ſtraight way to the Pariſh where he or ſhe dwelt for one whole Year then laſt paſt. And for ſuch other poor or impotent perſons wandering from place to place as aforeſaid, they ſhall be ſent from Pariſh to Pariſh by the Conſtables or Tything men of the ſame, to the place of their laſt abode.

*and carryed before a Juſtice; if found able to work and will not,*

*they ſhall be whipt, not exceeding thirty nine laſhes,*

*and ſent to the Pariſh where they dwelt.*

*So ſhall all other poor and impotent Perſons.*

Provided always, and it is hereby further Enacted, That no ſuch perſon or perſons, as above-mentioned, ſhall be returned as aforeſaid, if he, ſhe, or they have continued to dwell in the ſaid Pariſh above the ſpace of three Months; And whatſoever Conſtable or Tything-man that ſhall neglect his or their Duty herein ſhall forfeit the ſum of Forty ſhillings for every default, one half of which Forfeiture to be to the Church-Wardens, for the Poor of the ſaid Pariſh, and the other half to the Informer, to be recovered before any Juſtice of the Peace, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

*None to be return'd that have dwelt in a Pariſh above three Months;*

*Officers not doing their Duty herein, ſhall forfeit 40s.*

*one half to the Poor,*

*the other half to the Informer.*

*And* be it further Enacted by the Authority aforeſaid That it ſhall and may be lawful for the Church-Wardens of each Pariſh within this Iſland, with the aſſent of any two Juſtices of the Peace in that Precinct, to bind any poor Children belonging to the ſaid Pariſh to be Apprentices where they ſhall ſee convenient, until ſuch a Man-Child ſhall come to the age of one and twenty Years, and ſuch a Woman-Child to the age of eighteen Years, or the time of her Marriage, to be as effectual to all intents and purpoſes as if ſuch Child were of full age, and by Indenture of Covenant bound him or her ſelf, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding An

*The Church-Wardens, with aſſent of two Juſtices, may bind out any poor Children,*

*until a man child come to 21 years, and a Woman Child to 18 years, or Marriage.*

# An ACT

## *For Vacating ſeveral irregular Grants ſurreptitiouſly obtained for Royal Mines, Shoal-Water, Anchorage and Fiſhery.*

*Preamble.* WHereas there have been ſeveral irregular Pattents and Grants ſurreptitiouſly obtained, contrary to former Uſage, Law, and the publick good of this his Majeſties Iſland, for Fiſhery and Shoal-Water, in and about the Harbour of *Port-Royal*, and other Harbours, and the Water before ſeveral perſons Land, and alſo Royal Mines, and alſo the Parade in the Town of St. *Jago de la Vega*, and the Fiſhery in and between *Rio Cobre*, and the Salt River in St. *Andrew's* Pariſh, It is therefore Enacted and Ordained by the Governour, Council, and Aſſembly, and be it Enacted by the Authority of the ſame, That all and every ſuch Grants and Pattents are and be hereby declared null and void, to all intents and purpoſes whatſoever, the ſaid Letters Pattents, or any thing in them or any of them contained, or any other Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

*All grants for Fiſhery and Shoal-water, and for the waters before other mens Lands, are to be Void.*

*And no Pattent granted which ſhall be prejudicial to* Anchorage. *&c. which ſhall be good. The owners of Land may take the Shoal-water to make Wharfs, but none elſe.*

*And* that no ſuch Grants, or Pattents as is now or ſhall be hereafter Granted that ſhall be prejudicial to Anchorage, Navigation, or Common Fiſhery, ſhall be good; Provided always nevertheleſs, that all Owners of any Land adjoyning upon any Harbour, Bay or Creek, ſhall have Liberty to take up the Shoal-Water to make Wharfs, or Bridges convenient, before their own Land and none elſe, and that all Pattents already Granted for Shoal-Water or building of Wharfs, or Bridges, before any Mans own Land ſhall be deemed good.

*Pattents for the* Parada *on* Port-Royal.

*And* whereas there have been ſeveral Pattents, for the *Parada* place upon *Port-Royal*, and for eleven hundred

hundred Acres of Land without the breaſt-work, or of part thereof Granted to ſeveral perſons ſince Grant thereof was made to ſeveral perſons and their Heirs, or Succeſſors to the uſe of the Pariſh of *Port-Royal*; under pretence that the ſaid Grants to them, to the ſaid uſes, are void in Law, Be it Enacted and Ordained by the Authority aforeſaid, *And* it is hereby Enacted and Ordained by the Authority of the ſame, That the ſaid ſeveral Grants or any other Grants, or Pattents firſt made to the uſe of the Pariſh ſhall be deemed good, and valid to the paſſing of the Premiſes therein contained, and that all other Pattents Granted to any Perſon or Perſons whatſoever, of any Part of the ſaid *Parada* place, or of the ſaid eleven hundred Acres of Land, or any thing elſe ſince the dates of the ſaid Grants, or any of them to the uſe aforeſaid, be and are hereby adjudged null and void to all intents and purpoſes whatſoever, any thing in the ſaid Letters Pattents or any of them or any other Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

*and part of other Land ſurreptitiouſly obtained Void,*

*and thoſe made to the Pariſh, good,*

*notwithſtanding any Pattent or Law to the contrary.*

## An ACT

### For *Raiſing a Publick Revenue, for the ſupport of the* Government *of this his* Majeſties Iſland.

WE his Majeſties Moſt Dutiful and Loyal Subjects, the Aſſembly of this his Majeſties Iſland being duely ſenſible of his Majeſties extraordinary Grace and Favour in reſtoring to us our ancient form of making Laws, and in the great aſſurance given us of his Princely reſolution to apply not only the Revenue by us now intended to be raiſed, but even all his Majeſties Quit-rents ariſing from Lands Granted, or to be Granted, within this Iſland, to the Support of the Government of this his Majeſties Iſland, and

*Preamble.*

the Contingent charges thereof, and to no other uſes whatſoever; and we likewiſe taking into our conſiderations the great expence his Majeſty hath and may be at in and about the ſupport of the Government of this his Iſland, and the Contingent charges thereof, as alſo the great Sums of Money required for the reparation of his Forts and Fortifications, now much decayed, and the apparent danger, and Inconveniency that may accrue by any longer Neglect, have Chearfully and Unanimouſly given and Granted, and do hereby give and Grant unto his Moſt Excellent Majeſty his Heirs and Succeſſors, for and towards the Building, and Repairing Forts and Fortifications, and for the defraying of the many neceſſary and Contingent Charges, in and about the ſupport of the Government of this his Majeſties Iſland, a certain impoſt on the ſeveral Liquors and goods hereafter mentioned, and Humbly Beſeech his Majeſty to accept the ſame, And that it may be Enacted, and be it Enacted by the Governour, Council, and Aſſembly; *And* it is hereby Enacted and Ordained by the Authority of the ſame, That from and after the firſt day of *November*, in the Year of our Lord, One thouſand ſix hundred eighty and three, all the following Liquors and goods hereafter ſpecified that ſhall be Imported, ſhall pay after the Rates hereafter mentioned, that is to ſay, all *Spaniſh* and *Madera* Wines, the ſum of Four Pounds *per* Tun; all Wines Imported of the growth of the Weſtern Iſlands or mixture of the *Madera* Wines, with thoſe of the Weſtern Iſlands, the ſum of Ten Pounds *per* Tun, every Tun of *French* or *Rheniſh* Wines three Pounds, every gallon of brandy one ſhilling, every Gallon of *Engliſh* Spirits three pence, every Tun of Bear or Sider eight ſhillings, every Tun of Mum or Metheglin forty ſhillings, for every hundred Pounds of White Sugar, Ten ſhillings, for every hundred Pounds of Muſcovados or Paneal Sugar, ſix ſhillings, for every Pound of Indico ſix-pence, for every Pound of Tobacco two-pence, for every hundred Pound of Ginger ten ſhillings, for every Gallon of Rum, one ſhilling

*The Aſſembly*

*Conſidering his Majeſties great expence,*

*do give*

*towards building and repairing forts,*

*and paying Contingent Charge.*

*An Impoſt on Liquors, and other goods,*

*ſo that from the firſt of* November, 1683.

*All* Spaniſh *&* Madera *wines ſhall pay* 4l. per *Tun.*

*of the Weſtern Iſlands.* 10l. per *Tun.*

French *wine* 3l.

*Brandy* 1s. per *Gallon.*

Engliſh *ſpirits* 3d.

*Bear* &c. 8s. per *Tun.*

*Mum*, &c. 40s. per *Tun.*

*white Sugar* 10s. per *Hundred.*

Muſcovado's, 6s. per *hundred.*

*of* Indico 6d. per *Pound.*

Tobacco 2d.

Ginger 10s.

ſhilling ſix-pence, for every hundred pound of Cocao ten ſhillings, and ſo Proportionably for a greater or leſſer quantity of the ſeveral Liquors and Goods aforeſaid, Imported into this Iſland by way of Merchandize.

per *hundred.* Rum 18d. per *Gallon.* Cocao 10s. per *hundred.*

*And* be it further Enacted by the Authority aforeſaid, That every Merchant or other perſon Importing any Wines, or other Liquors into this Iſland ſhall (being thereunto required by the Collector) within twenty days after Landing make up accounts and give Bonds in the penalty of double the value the ſame ſhall amount unto, and upon ſuch account ſo to be made up and Bond given as aforeſaid, ſhall be allowed after the Rate of ten *per cent* for Leakage, and ſhall have time for payment thereof as is hereafter mentioned, that is to ſay, from the end and expiration of the firſt two Months, from the making up ſuch accounts to pay one third part thereof, and another third part at the end of the fourth Month, and the remainder at the end of the ſixth Month, and that every Hogſhead of Wine or other Liquors that ſhall not have full ſeven Inches or above left therein, and every Butt or Pipe not above nine Inches ſhall be accounted for outs, and the Merchant or Importer to pay no Cuſtom for the ſame; and in caſe of difference that may ariſe between the Importer or Maſter of the Veſſel touching Leakage on board, and for Wine or Liquor that ſhall happen to ſour within the aforeſaid twenty days, the perſon or perſons ſo aggrieved ſhall have a Warrant of Survey from the Naval Officer, who is hereby Impowered and required to Grant the ſame, and that returns of ſuch Warrants to be Granted as aforeſaid, ſhall be made upon Oath to the ſaid Naval Officer, and by him remitted to the Collectors Office in order to the making up their Accounts with the Collector, and better proving their Damage by ill Stowage or otherwiſe; and in caſe any ſuch Maſter or Importer ſhall (being thereunto required as aforſaid,) refuſe to make up his Accounts and give Bond as aforeſaid, he ſhall loſe the benefit of the ten *per cent* for

*Importers ſhall make up accounts in* 20 *days and give bonds.*

*and ſhall be allowed ten* per Cent *for Leakage,*

*and ſhall pay at the end of the firſt two Months, one third part of the Money; one third at the end of the fourth Month, the reſt at the end of ſix Months.*

*A Hogſhead not above* 7 *Inches, and a Pipe* 9, *ſhall be outs.*

*Liquors that prove bad in* 20 *days,*

*ſhall be ſurvey'd,*

*and returns made on Oath,*

*Thoſe that make not up their Accounts in* 20 *days, ſhall loſe the benefit of the* 10 per Cent.

*and the time for payment, if the receiver ſue, the Defendant ſhall pay treble Damages.*

for Leakage, and time given for the payment of the Money and if the receiver ſhall be forced to uſe for the ſame and do recover, the Defendant ſhall pay treble Damages.

*And* it is further Enacted by the Authority aforeſaid, That if (at the Entry of any Ship or Veſſel in the Naval Office) it ſhall appear by the Maſters report or otherwiſe, that he hath Imported any *Madera* Wines, he the ſaid Maſter or the Boat-ſwain ſhall take the following Oath, which the ſaid Naval Officer is hereby Impowered to adminiſter.

*If the Maſter when he enters, ſhall own he has* Madera *wine,*

*He ſhall take this Oath,*

I A. B. *do ſwear, That the Wines by me Imported, were taken on Board at the Iſland of* Madera, *and that I do not directly nor indirectly know but that the ſaid Wines are of the growth of the ſaid Iſland without any mixtures of the Wines of the growth of any of the Weſtern Iſlands, ſo help me God.*

*and if he refuſe to take it, the Wines ſhall be deemed to be of the Weſtern Iſlands.*

And if the ſaid Maſter or Boat-ſwain ſhall refuſe to take the aboveſaid Oath, that then the ſaid Wines ſo Imported ſhall be deemed and taken to be Wines of the growth of the Weſtern Iſlands, and ſhall pay Cuſtoms accordingly.

*Liquors Exported in a year,*

*And* it is further Enacted, and declared by the Authority aforeſaid, That if all or any of the aforeſaid Liquors or goods liable to the Duties aforeſaid, be landed and afterwards exported within twelve Months after the Importation thereof, that the Collector, or Receiver, ſhall diſcount or repay unto the Owners or their Aſſigns half the Cuſtoms of the ſaid Liquors, and goods according to the Rates before mentioned, which the Collector or Receiver is to repay or diſcount on the penalty of double the ſum for every ſuch refuſal to the party aggrieved.

*ſhall draw back half the Cuſtom,*

*which the Collector ſhall repay on Penal of double the ſum.*

*All veſſels that come from the north of the* Tropick *of* Cancer,

*And* it is likewiſe further Enacted and declared, by the Authority aforeſaid, That all Ships and Veſſels, coming from any place to the North-ward of the *Tropick* of *Cancer*, to trade within this Iſland ſhall reſpectively pay for every Tun ſuch Ship or Veſſel ſhall contain

tain, and for every time they arrive, one pound of Good and new Gun-powder; and alſo all Ships and Veſſels trading any way to the Southward of the *Tropick* of *Cancer*, ſhall reſpectively pay for every Tun ſuch Ship or Veſſel ſhall contain one pound of good and new Gun-powder, once every Year and no more, the ſame to be to our Soveraign Lord the King, his Heirs and Succeſſors, for the Publick uſe of this his Majeſtys Iſland.

*ſhall pay for every time one pound of Gunpowder;*

*and all veſſels trading to the South-ward of the* Tropick *of* Cancer; *ſhall pay for every Tun one Pound of Powder every year only.*

*And* it is likewiſe further Enacted and Ordained by the Authority aforeſaid, That the Collector or Receiver appointed for the receipt of ſuch Gun-powder, ſhall receive *in ſpecie*, and not preſume in lieu thereof to receive Money, or any other conſideration whatſoever, upon Penalty of Twenty Pounds Currant Money for every ſuch Offence.

*The Collectors ſhall receive it in* ſpecie,

*on Penalty of* 20l.

*And* it is likewiſe Enacted, by the Authority aforeſaid, That if any Maſter or Commander of any Ship or Ships, Merchant, Factor, Purſer, Marriner or any other perſon whatſoever without the Preſence of the Collector or ſome perſon appointed by him, or notice given him, or before his or their Regular Entry made with the ſaid Collector, or payment of the Duty, or ſecurity given by Bond as aforeſaid, ſhall after Sun-ſet and before Sun-riſing put on ſhoar or put into any Boat or Veſſel in order to Landing, any of the Liquors or any Goods contained or mentioned in this Act, with an intent to defraud his Majeſty of his Cuſtoms, for the ſame, the ſaid Liquors and Goods ſhall be forfeited, two third parts to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the Contingent charges thereof, and the other third part to the Informer or Seizor, be it the Receiver, his Agents or any other perſon whatſoever, the ſame to be recovered by Bill, Plaint or Information in any Court of Record within this Iſland, any thing in this Act or any other to the contrary notwithſtanding; and all manner of perſons are hereby required to be aiding and aſſiſting to the Receiver, his Agents, the Informer, Diſcoverer

*Whoever ſhall without the Preſence of an Officer,*

*or before Entry,*

*ſhall after Sun-ſet, or before Sun-riſing, land any Goods that pay Impoſt, the Goods ſhall be forfeited, two thirds to the King,*

*the other third part to the Seizor or Informer.*

*All Perſons are to be aiding to the Receiver,*

and Seizor of ſuch Liquors or Goods ſo Landed or unladen, contrary to the true intent and meaning of this Act.

*The Receiver by Warrant may ſearch,*

*And* it is hereby further Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Receiver, his Agents, the Informer or Diſcoverer, by the vertue of a Warrant form the Commander in Chief or any of his Majeſties Juſtices of the Peace to that purpoſe firſt obtain'd, with one Conſtable or more to ſearch according to Law all manner of Houſes, Cellars, Warehouſes and Shops, for ſuch Liquors and Goods as they or any of them ſhall be Informed were carried there to be concealed in prejudice to the true meaning of this *Act*, and ſuch Liquors and Goods ſo found ſhall be forfeited and condemned in manner and form before mentioned, Provided that the ſearch be made within three days after Information.

*for concealed Goods,*

*which if found ſhall be forfeited,*

*if ſearch be made within three days.*

*The Collector to give attendance from 9 to 11, and from 2 to 4,*

*on Penalty of 20l.*

*And* it is likewiſe further Enacted and Ordained by the Authority aforeſaid, That during the Continuation of this *Act*, the Collector or his Deputy give his or their attendance at his Office from Nine to Eleven of the Clock in the Morning, and from Two to Four in the Afternoon, upon Penalty of twenty Pounds Currant Money of this Iſland for every default.

*All that have Licenſe to Retail ſtrong Liquors,*

*ſhall pay every year 5l.*

*Be* it likewiſe Enacted and Ordained by the Authority aforeſaid, That all and every perſon or perſons whatſoever in this Iſland, which from and after the making of this *Act*, ſhall have or receive from the Governour or Commander in Chief of this Iſland, a Licenſe to Sell and Retail any ſtrong Liquors in any part of the Iſland, ſhall pay for the ſaid Licenſe, and every Year renewing of the ſame, the ſum of Five Pounds Currant Money to our Soveraign Lord the King, his Heirs and Succeſſors; and whoſoever ſhall preſume to ſell by Retail any of the ſtrong Liquors as aforeſaid, without ſuch Licenſe had and obtained as aforeſaid, ſhall forfeit for every ſuch Offence the ſum of Ten Pounds Currant Money of this Iſland.

*and they that ſell without Licenſe, ſhall forfeit 10l.*

*And* it is hereby Enacted and Declared by the Authority aforeſaid, That if any new Setler or Comer

ſhall

ſhall Import into this Iſland any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger or Cotton here by himſelf or any other perſon or perſons, for his or their better conveniency in ſetling and planting, and ſhall not declare his or their intentions upon Oath before the Collector, who is hereby Impower'd to adminiſter the ſame at the time of Importation, but ſhall likewiſe make the ſame appear within three Months after his or their arrival by ſome viſible effect, which he or they ſhall ſhew in order to it, that then the ſame being ſufficiently made known and appear to the ſaid Collector or Receiver of the ſaid Goods ſhall not be chargeable with any Duty or Cuſtoms, any thing in this *Act* to the contrary notwithſtanding; and the ſaid New-comers to enjoy the aforeſaid priviledge for three Months after their arrival; Provided alſo that it ſhall and may be lawful for any Maſter or Merchant of any Ship or Veſſel to Land or put on Shoar any of the ſaid Goods without being further liable to pay any Duty or Cuſtom for any part or parcel thereof, more then what he ſhall ſell or diſpoſe of within this Iſland, any thing in this *Act* to the contrary notwithſtanding.

*All that come to ſettle and bring Rum, &c.*

*tho they declare not to the Collector,*

*yet if they make it appear in 3 Months after their arrival,*

*the Goods ſhall not pay Cuſtom;*

*and the Importers may land ſuch Goods paying Cuſtom,*

*only for what they ſhall ſell.*

*And* it is further Enacted by the Authority aforeſaid, That as well his Majeſties Quit-Rents ariſing from Lands Granted or to be Granted within this Iſland, and every part and parcel thereof, as alſo all and every part of the Revenue hereby Granted, or which hereafter ſhall grow due by vertue of this *Act* or any thing herein contained ſhall be applied and appropriated and are hereby appropriated to the Support of the Government of this his Majeſties Iſland and the Contingent charges thereof and to no other uſe, intent or purpoſe whatſoever.

*The Quit-Rents and all Moneys ariſing by this Act,*

*ſhall be appli'd to the ſupport of the Government, and to no other uſe.*

*And* That his Majeſties Forts and Fortifications within this Iſland may for the future be kept in better repair, and if his Majeſty in his great Wiſdom ſhall think convenient, other new ones may be built, Be it further Enacted by the Authority aforeſaid, That the Sum of One thouſand two hundred and Fifty Pounds *per Annum*, ariſing as aforeſaid, be during the term of Twenty one Years, annually paid and appropriated

*That the Fortifications may be kept in order and repair, and new ones built,*

*1250l. per An. ſhall be appropriated to that uſe,*

priated unto the repairing, building and rebuilding of his Majeſties Forts and Fortifications within this Iſland, and to no other uſe, intent or purpoſe whatſoever, and the ſame is hereby appropriated accordingly.

*and to no other.*

*And* it is further Enacted by the Authority aforeſaid, That the Collector or Receiver-General of this Iſland for the time being, or he that ſhall Officiate in his room or ſtead, ſhall annually during the term aforeſaid out of the Money received by vertue of this *Act*, charge down the ſaid One thouſand two hundred and fifty Pounds, ſo as aforeſaid appropriated to the particular account of the Fortifications, and ſhall keep a diſtinct Book of accounts for the ſame, which Book of accounts ſhall be free and open at all Office-hours, for all perſons to view the ſame, without paying any manner of Fee therefore; and that the ſaid Receiver-General or his Deputy, ſhall (when and as often as thereunto required by the Governour, Council or Aſſembly when ſitting, or to any Committee by them or either of them to be appointed) give in upon Oath (which Oath they are hereby impowered to adminiſter) a juſt and true account of the particular Diſburſments out of One thouſand two hundred and fifty Pounds *per Annum*, ſo appropriated as aforeſaid, and that the ſaid Receiver-General ſhall with good and ſufficient Security, ſuch as ſhall be approved of by the Governour and a *Quorum* of the Council, enter into Bond in the Penalty of Five thouſand Pounds, (which Bond ſhall lie and be Recorded in the Secretary's Office) under the Condition hereafter expreſſed; That is to ſay.

*The Receiver ſhall annually charge the* 1250l.

*for the Fortifications, in a diſtinct Book, which ſhall lie open for all Perſons to View, without any Fees;*

*and the Receiver ſhall at all times, when required,*

*give a true account upon Oath, of the diſburſments of this* 1250l.

*and ſhall alſo enter into Bond and Security of* 5000l. *which ſhall lie in the Secretaries Office,*

*Under this Condition,*

*truly to account,*

*THE Conditon of this Obligation is ſuch, That if the above bound* A. B. *Collector or Receiver-General ſhall well and truly account for as often as he ſhall be thereunto required by the Governour for the time being and a* Quorum *of the Council or a Commitee of the Aſſembly, all and every ſuch Sum or Sums of Money which either have or ſhall come to his hands, either by vertue of an Act, Entituled,*

*Entituled*, An Act for raiſing a Publick Impoſt, *made at an Aſſembly held by Prorogation the Twenty firſt day of* September, *in the Thirty fourth Year of his Majeſties Reign, or an Act, Entituled*, An Act for raiſing a Publick Revenue for the Support of the Government of this his Majeſties Iſland, *made at an Aſſembly held by Prorogation, the Fifth day of* September, *in the Thirty Fifth Year of his Majeſties Reign that now is, or any other Act or Acts whatſoever, as alſo well and truly to pay the Sum of One thouſand two hundred and fifty Pounds Yearly and every Year, for and during the time of the aforeſaid Act, made in the Thirty fifth Year of his Majeſties Reign, Entituled*, An Act for raiſing a Publick Revenue for the Support of the Government of this his Majeſties Iſland, *ſhall be in force by Warrant of the Governour, with the advice and conſent of a* Quorum *of the Council, for and towards the repairing and building Fortifications, and alſo pay all other Sums of Money according to the intent and meaning, and to the uſes mentioned and directed in the ſaid Acts, that then this preſent Obligation to be void, otherwiſe to remain in full force and vertue.*

*for all Monys received,*

*by this or other Acts,*

*and to pay the* 1250l. *yearly,*

*by Warrant of the Governour,*

*and all other ſums,*

*according to the intent of the ſaid Acts, then to be void.*

*And* in caſe the ſaid Collector or Receiver-General, or his Deputies, ſhall preſume to act in the ſaid Office longer than Twenty Days after the Paſſing of this Act before he or they have given the Security, with the Condition aforeſaid, or ſhall miſapply or pay any part or parcel of the One thouſand two hundred and fifty Pounds ſo applied as aforeſaid, he or they ſhall for every ſuch Offence forfeit the Sum of Two thouſand five hundred Pounds, one half whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for the ſupport of the Government of this Iſland, to be laid out upon the ſaid Fortifications, and the other half to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland, where no Eſſoign, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi*, ſhall be admitted or allowed, any thing in this Act or any other ſeeming to the contrary notwithſtanding.

*And if the Collector ſhall Act more than* 20 *days after the Paſſing this Act, before he give ſuch ſecurity, or miſapply any part of the* 1250l.

*he ſhall forfeit* 2500l.

*One half to the King, for the Fortifications;*

*the other half to them that ſhall ſue for the ſame.*

*The Collector or Receiver ſhall not pay away part of the 1250l. nor any other Money ariſing from the Quit-Rents, or by this Act,*

*without a Warrant from the Governour;*

*And* that the ſaid Collector, Receiver or his Deputy ſhall not at any time hereafter upon any pretence whatſoever pay the ſaid One thouſand two hundred and fifty Pounds *per Annum* or any part or parcel thereof or any other ſum or ſums of Money whatſoever ariſing from the Quit-Rents or by vertue of this *Act*, unleſs he or they ſhall firſt have or receive for his or their Authority a Warrant under the Hand and Seal of the Governour or Commander in Chief for the time being, with the advice and conſent of the Council, expreſſing the Sum to be paid, and the end and purpoſe whereunto the Sum is or ſhall be applied;

*but if the Collector ſhall pay any ſum,*

*or any perſon miſapply any of theſe ſums, contrary to the true intent,*

*they ſhall forfeit treble the ſum.*

and in caſe the Collector or Receiver-General or his Deputy ſhall contrary to the true intent and meaning hereof, pay any ſum or ſums of Money whatſoever, or if any other perſon or perſons whatſoever ſhall miſapply any of the Moneys ſo as aforeſaid appropriated contrary to the true intent and meaning of this *Act*, the Offender or Offenders ſhall forfeit and pay treble the ſum by him or them ſo paid or miſpaid.

*All forfeitures in this Act, not already appointed, how they ſhall be diſpoſed of, ſhall be one half to the King,*

*the other half to the Informer.*

Be it further Enacted by the Authority aforeſaid, That all Forfeitures and Penalties mentioned in this *Act*, and not declared how they ſhall be diſpoſed of, and in what manner to be recovered, ſhall be one half to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges, and the other half to the Informer, to be recovered by Bill, Plaint or Information in any Court of Record wherein no Eſſoign, Protection, Wager of Law, *Non vult ulterius Proſequi*, or Injunction, ſhall be allowed, any thing in this *Act* or any other to the contrary in any wiſe notwithſtanding.

*After the firſt day of* November, 1683.

*the Act for a Publick Impoſt, made the 21ſt day of September, 1682.*

*And* it is further Enacted and Ordain'd by the Authority aforeſaid, That from and after the Firſt of *November*, One thouſand ſix hundred eighty three, an *Act* Entituled, *An Act for raiſing a Publick Impoſt*, made at an Aſſembly held at the Town of St. *Jago de la Vega* by ſeveral Prorogations the Twenty firſt day of *September*,

*September*, one thouſand ſix hundred eighty two, in the thirty fourth Year of his Majeſties Reign that now is, and all and every Clauſe and Clauſes therein contained, be and are hereby repealed to all intents and purpoſes whatſoever. *ſhall be void and repealed.*

*And* it is hereby Enacted and Declared by the Authority aforeſaid, That this preſent Act, Entituled, *An Act for raiſing a Publick Revenue for the Support of the Government of this his Majeſties Iſland*, remain and continue in force for the term of Twenty one Years, and no longer. *And this Act ſhall continue in force for 21. Years, and no longer.*

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*WHich Laws having upon the peruſal of the Right Honourable the Lords of the Committee of Trade and Foreign Plantations been preſented to His Majeſty at this Board, His Majeſty was graciouſly pleaſed, with the Advice of His Privy Council, to Approve and Confirm the ſame for the ſpace of Twenty one Years, to Commence from the firſt day of* November *laſt, preceding the Date hereof, as alſo certain other Laws confirmed by His Majeſty in Council the twenty third day of* February, 1682. *Not hereby repealed, and purſuant to this His Royal pleaſure thereupon ſignified and expreſſed all the ſaid Laws, as aforementioned, are hereby Approved and Confirmed for the ſpace of twenty one Years accordingly.*

Phil. Lloyd.

An

# An ACT

## *For the better Ordering of* Slaves.

*No Negroe ſhall go out of their Plantations without a ticket.*

*or a White Servant,*

*on 40 s. penalty to the owners;*

*and who neglects to take up ſuch ſervants or Negroes ſhall forfeit 40s.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That no perſon whatſoever ſhall give leave to any *Negroe* Slave under his or her care, charge or ownerſhip, unleſs ſuch as uſually wait on their perſon, or go in Liveries, to go out of their Plantations without a Ticket or White Servant, in which Ticket is to be expreſſed their Names and Numbers, and alſo from and to what place, on penalty of Fourty ſhillings, and paying for taking up as runaways; and whoſoever ſhall not endeavour to apprehend any *Negroe* ſlave, coming into their Plantations or where they have care or charge (except as before is excepted) and apprehending any ſhall not puniſh them by moderate whipping, ſhall forfeit forty ſhillings.

*A Negroe that ſtrikes a white Perſon, for the firſt offence ſhall be whipt;*

*how puniſht for the ſecond;*

*how for the third.*

*And* if any Negroe ſlave ſhall offer any violence by ſtriking or the like, to any Perſon, ſhall for the firſt offence be ſeverely whipt by the Conſtable, by Order of the Juſtice of the Peace; and for the ſecond offence by like order ſhall be ſeverely whipt, his or her Noſe ſlit, and Face burnt in ſome place; and for the third offence, be left to two Juſtices and three Free-holders, to inflict Death or any other puniſhment according to their Diſcretion; *Provided*, ſuch ſtriking or conflict be not by Command of, or in Lawful defence of their owners Perſons or Goods.

Provided, *it be not in the defence of their owners.*

*All ſlaves ſhall have Cloaths.*

*None ſhall be free by being a* Chriſtian, *in payment of debts they be accounted Chattels,*

It is further Enacted, That all Slaves ſhall have Cloaths; that is, Men, Drawers and Caps; and Women, Peticoats, once every year. It is further Enacted, That no Slave ſhall be free by becoming a *Chriſtian*, but as to payment of Debts, ſhall be deemed and taken as all other Goods and Chattels are not

ſuffi-

ſufficient to ſatisfie the ſaid Debts, then ſo many Slaves only as are neceſſary, as well proportionably out of the Slaves aſſigned for Dowry, as thoſe that belong to the Heirs and Executors, ſhall be ſold for payment of Debts, and all *Negroes* and Slaves ſhall be accounted as Free-hold in all other Caſes whatſoever, and deſcend accordingly. *but otherwiſe Free-hold.*

It is further Enacted by the Authority aforeſaid, That no Perſon whatſoever (except the Provoſt-Marſhal at the Goal of St. *Jago de la Vega* and *Port-Royal*) ſhall keep any run-away Slave or Slaves above ten days, nor ſhall the Provoſt-Marſhal, or any other whatſoever, employ any of them, or ſuffer him, her or them, in their Cuſtody, to want convenient Food and Water, on Penalty of Forty Pounds for every ſuch Offence; And if any Perſon ſhall ſuffer any Slave to die in their Cuſtody, for want of Food or Water, or dry and convenient Lodging, the Provoſt-Marſhal, or any other Perſon in whoſe Cuſtody the *Negroe* was, ſhall pay the owners Fifty Pounds, to be recovered by an Action of Debt in any Court of Record within this Iſland, or be liable to an Action of Debt for the ſame. *None ſhall keep a run-away Slave above ten days, nor ſhall the Provoſt-Marſhal let them want in priſon, on Penalty of 40l. Nor ſhall any one ſuffer a Slave to dye for want, on Penalty of 50l. to the owners.*

*And* be it further Enacted by the Authority aforeſaid, That whoſoever ſhall take up any run-away Slave or Slaves, that ſuch Perſon or Perſons ſhall bring the ſaid run-aways to his or their proper owners, if they know them, and receive for their pains twelve Pence *per* Mile for the firſt five Miles, and eight Pence *per* Mile for every Mile more, Provided that it exceed not Forty Shillings in the whole; but if they do not know the owners, then to the Marſhal or Goal, upon pain of forfeiture for every day he or ſhe ſhall keep ſuch Slave or Slaves beyond the ſaid ten days, and thereof be convicted by Confeſſion of Verdict, the ſum of twenty Pounds, to be levied by the Provoſt-Marſhal, or his lawful Deputy, upon the Goods and Chattels of the Perſons ſo neglecting to bring the ſaid run-aways, and no Perſon ſhall receive payment for their taking up any Slave or Slaves, till he give *They that take up run-aways, ſhall bring them to their owners if they know them, and receive 1s. per mile for the firſt five miles, and 8d. for every mile more, not exceeding 40s. but if they know not the owners then to the Marſhal. On Penalty of 20l. and ſhall give account of themſelves and ſuch Negroes.*

(or ſhall have no Payment) an account of his own Name and Place of abode, with the time and place when and where taken up, which account ſhall be fixt up, with an account of the Mark and Sex, which account of all ſuch Slave or Slaves coming into his Cuſtody, he ſhall cauſe to be fairly written and fixed upon a publick place in the Goals of St. *Jago de la Vega* and on Penalty of 200l. *Port-Royal*, on the Penalty of two hundred Pound; What the Marſhall muſt do, in this caſe, and the ſaid Marſhal ſhall enter the ſaid Account in a Book, and alſo take a Receipt from the Perſon to whom he delivers any run-away, with a deſcription of the Perſon to whom delivered; and in caſe the Marſhal ſhall refuſe to make payment for the taking up a run-away Slave or Slaves, and thereof Oath be made before any Juſtice of Peace, the ſaid Juſtice is hereby Authorized to direct his Warrant to any Conſtable, to cauſe the value thereof to be immediately levied upon the Goods of the ſaid Marſhal; and the ſaid Goods ſold by publick Out-cry, and ſatisfaction to be made to the party aggrieved, returning the Over-plus to the ſaid Marſhal, and that it ſhall and may be lawful for but he may detain till he is paid the mony he laid out, the Marſhal to detain and keep in cuſtody the Bodies of all ſuch run-aways ſo brought unto him, until the owners of them, or their Aſſigns, ſhall pay unto him the full ſum of what he ſo paid for them, with two and 2s. 6d. in the Pound for his laying out the money, and 6d. for every night the Slave has been in cuſtody; but if he let any Eſcape or be imployed, ſhillings and ſix pence *per* Pound for laying out the Money, and ſo proportionable for a greater or leſſer ſum, and alſo ſix-pence for every twenty four hours the ſaid Slave hath been in his Cuſtody; and if the ſaid Marſhal ſhall willingly or negligently ſuffer any Slave or Slaves to Eſcape, to be imployed, or by any ways or means to be out of their Cuſtody, before he be duly delivered to the owner or his Aſſigns, then he ſhall forfeit 50l. the ſaid Marſhal ſhall forfeit to the owners Fifty Pounds for every Slave ſo Eſcaping, employed, or being out of their Cuſtodies as aforeſaid.

*All* Negroes Houſes ſhall be ſearched, once every fourteen days for Weapons. *And* it is further Enacted by the Authority aforeſaid, That every Maſter or Miſtreſs or Overſeer of a Family in this Iſland, ſhall cauſe all their Slaves Houſes to be diligently and effectually ſearched once every fourteen days, for Clubs, wooden Swords, and miſchie-

miſchievous Weapons, and finding any, ſhall take them away and cauſe them to be burnt, and alſo upon any requeſt made, to ſearch the ſame for ſtolen Cloaths, Goods, or any other things or Commodities, particularly ſuſpected Fleſh, that is not given them by their Owners or Overſeers, and honeſtly come by; And in whoſe Cuſtody they ſhall find any thing ſuſpected or known to be ſtolen Goods, the ſame ſhall ſeize and take into their Cuſtody, and a full and ample Deſcription of the particulars thereof in Writing, within ſix days after diſcovery thereof, ſhall ſend to the Clerk of the Pariſh, or Clerk of the Court of the Precincts for the time being, who are hereby required to receive the ſame, and enter upon it the day of its receipt and give account to the Church or Court of the Precincts, in writing, that ſuch loſt Goods are found, to the end, the Owner, giving the Clerk proof by mark or otherwiſe, that the Goods loſt belong to him, he may have the ſame, paying twelve pence to the Clerk for his Entry and Declaration of the ſame; and the parties, by whom ſuch loſt Goods are taken into Cuſtody, are hereby required to make reſtitution of what is in being to the Owner, on the Penalty of Twenty Pounds for each Neglect by the Maſter, Miſtreſs, Overſeer, or Clerk, as aforeſaid.

*Or for ſtolen Goods, &c.*

*Which ſhall be ſeized if found, and an account given thereof to the Clerk, &c.*

*who ſhall give notice,*

*that it may be return'd, paying to the Clerk 1s.*

*On Penalty of 20l.*

*And* be it further Enacted by the Authority aforeſaid, That if any Slaves ſhall take up any run-away, he or ſhe ſhall have the whole benefit thereof, and if any ſhall deprive a Slave of the ſaid benefit, and not lay the ſame out in Cloths or otherwiſe, at the diſcretion of the owner, they ſhall forfeit treble the value.

*If a Slave take up a run-away he ſhall have benefit,*

*or forfeit treble the value.*

*And* it is further Enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall attempt or endeavour to ſteal or carry off this Iſland any Slave, on Penalty of Sixty Pounds, but whoſoever ſhall actually do the ſame, ſhall be Guilty of Felony, and be excluded from the benefit of his Clergy.

*None ſhall attempt to ſteal a Negroe on Penalty of 60l, but they which do it ſhall be Guilty of Felony.*

It is further Enacted by the Authority aforeſaid, That it

*Plantations that are deſerted may be deſtroyed.*

it ſhall and may be Lawful for any Perſon to ruinate and deſtroy any Plantation deſerted for the ſpace of two Months, leſt it become a Receptacle for Fugitives.

*On great Crimes done by Negroes.*

It is further Enacted by the Authority aforeſaid, That upon complaint made to any Juſtice of any hainous or grievous Crime committed by any Slave or Slaves, as Burglary, Robbery, Burning of Houſes or Canes, killing or ſtealing of any Neat or other Cattel, or other petty Injuries; as Maiming one the other, ſtealing of Fowls, Proviſions, or ſuch like Treſpaſſes or Injuries, the ſaid Juſtice ſhall iſſue his Warrant for apprehending the Offenders, and for all Perſons to come before him, that can give Evidence; and if upon Examination it probably appeareth, that the apprehended are Guilty, he ſhall commit them to Priſon, or take ſecurity for their forth-coming, as the caſe ſhall require, and alſo to certifie to the Juſtice next to him, the ſaid cauſe, and to require him by vertue of this *Act*, to aſſociate himſelf to him, which ſuch Juſtice is hereby required to do, and they ſo aſſociated are to iſſue their Summons to three ſufficient Free-holders, acquainting them with the Matter, and appointing them a day, hour, and place, when and where the ſame ſhall be heard and determined; at which day, hour and place, the ſaid Juſtices and Free-holders, ſhall cauſe the Offenders and Evidences to come before them, and if they, on hearing the matter, (the ſaid Free-holders being by the ſaid Juſtices firſt ſworn to Judge uprightly, and according to Evidence) ſhall adjudge the Criminal or Criminals Guilty of the Offence complained of, they ſhall give Sentence of Death, if the Crime by Law deſerve the ſame, or ſuch other Puniſhment as the Crime deſerveth, and forthwith, by their Warrant, cauſe immediate Execution to be done by the Common or any other Executioner, in ſuch manner as they ſhall think fit, and if the Crime committed ſhall not deſerve Death, they ſhall condemn or adjudge the Criminal or Criminals, to the party or parties injured, and to his, her, or their

*the Juſtices ſhall iſſue out their Warrants,*

*and being apprehended,*

*Two Juſtices and three Free-holders,*

*Shall Judge the Criminals*

*to Death if there be reaſon,*

*and cauſe Execution to be done on them,*

*or otherwiſe*

their Heirs for ever, after they have received ſuch corporal Puniſhment as the Juſtices and Free-holders aforeſaid ſhall appoint, unleſs the owners ſhall pay to to the parties injured ſuch ſum or ſums of Money, at ſuch time or times as the Juſtices and Free-holders ſhall appoint, and if any Juſtice or Free-holder ſhall neglect his Duty above required, he ſhall forfeit twenty Pound.

*as they ſee cauſe,*

*but if any of them neglect they ſhall forfeit* 20l.

*Provided* nevertheleſs, That when and as often as any of the fore-mentioned Crimes be committed by more than one *Negroe* that ſhall deſerve Death, that then and in all ſuch caſes only one of the ſaid Criminals that ſhall ſuffer Death, as Exemplary, the reſt to be returned to the owners; which owners of *Negroes*, ſo offending, ſhall bear proportionably the loſs of the ſaid *Negroe* ſo put to Death, and alſo pay proportionably the damage done by the ſaid Criminals to the party or parties injured, as ſhall be allotted them by the ſaid Juſtices and Free-holders: And if any Perſon ſhall refuſe to pay his part ſo allotted him, That then, and in all ſuch caſes, the ſaid Juſtices and Free-holders are hereby required to iſſue out their Warrant of Diſtreſs upon the Goods and Chattels of the Perſon ſo refuſing, and ſhall cauſe the ſame to be ſold by the publick Out-cry, to ſatisfie the ſaid Money ſo allotted him to pay and to return the Over-plus, if any be, to the owner.

*Such crimes committed by more then one* Negroe,

*there ſhall only one ſuffer, and the reſt returned to their owners,*

*who ſhall bear their part of the loſs,*

*which if they refuſe,*

*deſtraint ſhall be made on their Goods.*

*And* it is further Enacted by the Authority aforeſaid, That every Commiſſion-Officer within this Iſland, ſhall be and is hereby impowered and required on notice to him given of the *Haunt reſidena*, or hiding-place, of any run-away *Negroes*, to raiſe a convenient Party of Men, not exceeding twenty, and with them to purſue, apprehend and take the ſaid run-aways, either alive or dead; and whatſoever Commiſſion-Officer ſhall neglect his or their Duty herein, ſhall forfeit the ſum of twenty Pounds.

*any Commiſſion Officer may raiſe Men,*

*not exceeding* 20, *to purſue Run-aways.*

It is further Enacted by the Authority aforeſaid, That if any Slave or Slaves ſhall commit any Murther, or make any Inſurrection, or riſe in Rebellion againſt his

*A Slave that commits murther, or makes Inſurrection,*

his Majeſties Authority, or make any preparation of Arms, as Powder, Bullets, or offenſive Weapons, or hold any Conſpiracies for raiſing Mutinies or Rebellion, the Offenders ſhall be tried by two Juſtices of the Peace, and three Free-holders, aſſociated together, as before expreſs'd, who are hereby impowered and required, to try the ſaid Slaves ſo Offending, and inflict Death, or any other Puniſhment, upon the ſaid Offenders, and forthwith, by their Warrant, cauſe Execution to be done by the Common or any other Executioner, in ſuch manner as they ſhall think fit; and if any perſon ſhall make away or conceal any *Negro* or *Negroes*, ſuſpected to be Guilty of the foremention'd Crimes, and not, upon Demand, bring forth the ſuſpected Offender or Offenders, ſuch perſon ſhall forfeit one hundred Pounds.

*ſhall be tryed by two Juſtices and three Free-holders.*

*who may inflict Death or other Puniſhment.*

*they that conceal a ſuſpected* Negroe,

*ſhall forfeit an* 100l.

*And* it is further Enacted by the Authority aforeſaid, That the Provoſt-Marſhal, or his Lawful Deputy, ſhall give an account in Writing, at every Seſſions within this Iſland, as often as the ſame ſhall be held, of what *Negroes* he hath in his Priſon, at St. *Jago de la Vega*, and *Port-Royal*, with their Marks and Seals, and the time they have been in his Goals, and as near as he can learn, how long each hath been from their reſpective owners, on Penalty of one hundred Pounds for every Default.

*The Marſhal ſhall give account,*

*what* Negroes *are in Priſon,*

*On Penalty of* 100l.

*And* be it further Enacted by the Authority aforeſaid, That all Maſters and Owners of Plantations, ſhall, and are hereby required, to have at all times, within ſix Months from and after the Publication of this Act, one Acre of Ground well planted with Proviſion for five *Negroes*, and ſo proportionally for a greater or leſſer number, under the Penalty of forty ſhillings for every Acre wanting.

*All Maſters are to have one acre of Proviſion,*

*for every five* Negroes, *on Penalty of* 40s. *for each acre.*

*And* it is further Enacted by the Authority aforeſaid, That no Maſter or owner of Slave or Slaves, ſhall let out for hire any Slave or Slaves to work upon *Port-Royal* as Common Porters, upon pain of twenty Pounds for every ſuch Offence.

*No* Negroes *ſhall be Porters on* Port-Royal, *on Penalty of* 20l.

*And* it is further Enacted by the Authority aforeſaid,

ſaid, That if any Slave, by puniſhment from the owner, for running away, or other Offence, ſhall ſuffer in Life or Limb, no perſon ſhall be liable to the Law for the ſame; but if any one out of wilfulneſs, wantonneſs, or bloudy mindedneſs, ſhall kill a Slave, he or ſhe, upon due conviction thereof, ſhall ſuffer three Months Impriſonment, without Bail or Mainprize, and alſo pay the ſum of Fifty Pounds to the owner of ſuch Slave; but if the perſon ſo Offending be a Servant, he or ſhe ſhall receive on his or her bare Back, nine and thirty Laſhes, by order of any two Juſtices of the Peace, before whom the matter ſhall be proved, and after the Expiration of his or her time with his or her Maſter or Miſtreſs, he or ſhe ſhall be further liable to ſerve the owner or owners of ſuch Slave the full term of Four Years, by order of the ſaid Juſtices of the *Peace*. And if any perſon ſhall kill a Slave, ſtealing or running away, or that ſhall by night be found out of the owners Ground, Road, or Common Path, and refuſeth to ſubmit, ſuch perſon ſhall not be liable to any Dammage or Action for the ſame, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*If a Slave ſuffer under puniſhment for Offence, no Perſon ſhall be liable.*

*But if any one kill a Slave wantonly, they ſhall ſuffer three Months Impriſonment, and pay 50l. if free; but if a Servant, ſhall be whipt,*

*and ſerve the owner of the Slave 4 Years.*

*but if any one kill a Negroe by night that refuſes to ſubmit, no dammage ſhall fall on them.*

*And* it is further Enacted by the Authority aforeſaid, That if any *Negro* or *Negroes* are taken ſtealing Wood or Timber, in Boats or Canoa's, and be thereof convicted before any two of his Majeſties Juſtices of the Peace, the ſaid Juſtices are hereby required and impowered to condemn the Slave or Slaves ſo taken, to ſerve the Owners or Proprietors of the Land where the Offence was committed, ſix Months, without any ſatisfaction given to the perſon or perſons to whom the ſame Slave or Slaves do belong.

Negroes *taken ſtealing Wood in Boats,*

*ſhall ſerve the Proprietors, ſix Months.*

*And* it is further Enacted by the Authority aforeſaid, That all Maſters or Owners of Boats, Wherries, and Canoa's, plying within the Harbour of *Port-Royal*, ſhall give their own Bonds of Fifty Pounds *Sterling*, not to carry any *Negroes*, without a Ticket from their Owners or Overſeers, (except as before

*All owners of Boats, ſhall give 50l. Bond, not to carry any Negroe without a Ticket,*

ex-

excepted) all which ſaid Bonds are to be taken in the King's Name, and recorded in the Secretary's Office, and thereupon due recovery to be made by all perſons receiving dammage, in the ſame manner as is already appointed in the Act, *requiring all Maſters of Ships and Veſſels to give ſecurity in the Secretary's Office*, and the Secretary is hereby impowered to take one Shilling as his Fee for each of the Bonds, and no more; and in caſe any ſuch owners of Boats and Canoa's ſhall not within forty days, from and after the Publication of this Act, give in their Bond to the Secretary, as aforeſaid, they ſhall forfeit forty Shillings for every Week after the ſaid forty Days are expired, to be recovered by Warrant from any Juſtice of the Peace, and to the uſe and benefit of ſuch perſon, who ſhall inform and complain of the ſame.

*which ſhall be recorded in the Secretary's Office, that dammage may be recovered.*

*As in the Act for Maſters of Ships.*

*For which the Secretary is to have 1s.*

*Which if they Neglect to do,*

*they ſhall forfeit 40s. for every Week to the Informer.*

*To be levy'd by Warrant of a Juſtice.*

*And* it is further Enacted by the Authority aforeſaid, That this Act be Read and Publiſhed in all reſpective Churches within this Iſland, the firſt *Sunday* after *Chriſtmas-Day*, and the firſt after *Mid-ſummer*, by the Clerk every Year, and where there are no Churches, to be publiſhed by the Clerk of the Peace every other Seſſions of the Peace in each Precinct, on Penalty of Five Pound *ſterling* for each Default.

*This Act ſhall be Read,*

*the Sunday after* Chriſtmas.

*And the Sunday after* Mid-ſummer *every year,*

*On Penalty of 5l.*

It is further Enacted by the Authority aforeſaid, That all Penalties mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, not exceeding forty Shillings, ſhall be recovered by Warrant from any Juſtice of the Peace, and all Penalties exceeding forty Shillings ſhall be recovered by Action of Debt, in any Court of Record within this Iſland, one Moiety or half part of all ſuch Forfeitures ſhall be to our Soveraign Lord the King, for the publick uſe of this Iſland, and the other Moiety or half part ſhall be to the Informer, or they that ſhall ſue for the ſame.

*All Penalties in this Act not above 40s. ſhall be recovered by Warrant of the Juſtice,*

*and all above by Action of Debt, half to the King,*

*half to the Informer.*

An

# An ACT

## *Aſcertaining* SALT *to the Pariſhes of St.* Catherines, *St.* Thomas in the Vale, *and St.* Dorothy's.

WHEREAS the Pariſhioners of St. *Catherines*, St. *Thomas in the Vale*, and St. *Dorothy's* for ſeveral Years laſt paſt have been furniſhed with Salt from Sir *Thomas Modyford*, *Sen.* Baronet, his Salt-Pond, in conſideration of their having ſurrender'd their Right unto the ſaid Salt-Ponds, unto the ſaid Sir *Thomas*; and the ſaid Pariſhioners deſiring the continuance of the ſaid Cuſtom, and to aſcertain the ſame from Sir *Charles Modyford*, Baronet, the Heir and preſent Poſſeſſor, who hath declared his willingneſs thereunto. *Preamble.*

*Be* it therefore Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That the ſaid Sir *Charles Modyford*, his Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall for ever Yearly furniſh each Maſter, or Miſtreſs, or Overſeer of any Family or Plantation in the Pariſh of St. *Catherines*, St. *Thomas in the Vale*, and St. *Dorothy's*, according to a Note of each Head of Blacks or Whites, ſigned by the ſaid Maſter, or Miſtreſs, or Overſeer, of the number of Heads belonging to them, and reſiding in the ſaid Pariſh, and that they deſire Salt for that Year, and at the ſame time bring in their

Sir *Charles Modyford*, *ſhall furniſh* St. Catherines, St. Thomas *and* St. Dorothy.

Notes, and pay in their Money, or tender the ſame, at the Court-Houſe in St. *Jago de la Vega*, to the ſaid Sir *Charles Modyford*, his Heirs, Executors, or Aſſigns, or whom he or they ſhall appoint, from the Fifth Day of *January*, to the Sixteenth Day of the ſame Month, in every Year; that is to ſay, Twelve pence *per* Buſhel for ſo many Buſhels as they claim, not exceeding half a Buſhel *per* Head, ſo that the whole exceed not Five Thouſand Buſhels ſo to be provided for the ſaid Pariſhes; Provided alſo, That ſuch tender ſhall be good, though no body be at the place and times aforeſaid to receive the Money.

*to thoſe that claim every Year from the fifth to the ſixteenth of* January; *with half a Buſhel of Salt for every Head not exceeding* 5000 *Buſhels at* 12d. per *Buſhel.*

*How the tender is to be made.*

*Provided* alſo, and it is the true intent and meaning of this Act, That ſuch of the Pariſhioners that Neglect to make their claim as aforeſaid, and thoſe claiming and paying their Money, do not fetch their proportion of Salt, as aboveſaid, between the Firſt of *May*, and the laſt day of *Auguſt*, every Year, from the Salt-Ponds, as aforeſaid, ſhall forfeit their Money ſo paid, and loſe alſo the benefit of this Act for that Year.

*And how the Pariſhioners may forfeit their Salt and Money.*

*And* it is further Enacted by the Authority aforeſaid, That for every Buſhel of Salt duly claimed and demanded, and not delivered within the time before appointed, and at the Salt-Ponds, the ſaid Sir *Charles Modyford*, his Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall forfeit and pay to the parties aggrieved, Two Shillings for every ſuch Buſhel, to be recovered by Warrant from any of his Majeſties Juſtices of the Peace, (not exceeding Forty Shillings) or in any Court of Record within this Iſland, wherein no Injunction, Protection, or Wager of Law ſhall be allowed.

*But if* Sir Charles *does not deliver the Salt,*

*he ſhall forfeit* 2s. *for every Buſhel, to be recovered by a Juſtice, not exceeding* 40s. *If more in any Court of Record.*

*Provided* always, That if the ſaid Sir *Charles Mody-*

*Modyford*, his Heirs, Executors, or Adminiſtrators, ſhall Sell or Diſpoſe of any Salt, before he hath delivered, or ſecured to be delivered, ſuch quantities of Salt, as ſhall be claimed and paid for at the times appointed by this Act, That then he or they ſhall pay unto the Parties grieved, Five Shillings *per* Buſhel, for every Buſhel wanting to compleat their reſpective Parcels, any thing in this Act, or any other Act, Deed, or Patent, to the contrary notwithſtanding.

*If Sir* Charles *Sell Salt, ſo that he cannot comply with this contract, he ſhall forfeit* 5*s. per Buſhel to the party aggrieved.*

FINIS.

Ex. J. M.

LAW-BOOKS *Printed for*, or *ſold by* Charles Harper, *at the* Flower-de-Luce, *over-againſt St.* Dunſtan's-*Church* in Fleet-ſtreet.

*Folio*, *Law.*

THe Statutes at large, from *Magna Charta*, to this preſent Year 1682. in Paragraphs and Sections, with References to the Books of the Law, and an exact Table; By *Joſeph Keble* of *Gray*'s-Inn Eſq; in *Folio.*

An Aſſiſtance to Juſtices of the Peace, for the eaſier performance of their Duty; The *Firſt Part* thereof being a Collection of all the particular Clauſes of Statutes from *Magna Charta* to this time, that does any ways concern Juſtices of the Peace; In the *other Part* the whole Office of a Juſtice is methodically digeſted; with the neweſt and moſt approved Preſidents, under proper Heads; the whole accommodated to preſent uſe. By *Joſeph Keble* of *Gray*'s-Inn Eſq;

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